S. HRG. 100-118

FEDERAL DRUG INTERDICTION: COMMAND, CONTROL, COMMUNICATIONS, AND INTELLIGENCE NETWORK

HEARINGS

BEFORE THE

PERMANENT
SUBCOMMITTEE ON INVESTIGATIONS

OF THE

COMMITTEE ON
GOVERNMENTAL AFFAIRS
UNITED STATES SENATE

ONE HUNDREDTH CONGRESS

FIRST SESSION

MARCH 18 AND 24, 1987

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FEDERAL DRUG INTERDICTION: COMMAND, CONTROL, COMMUNICATIONS, AND INTELLIGENCE NETWORK

WEDNESDAY, MARCH 18, 1987

U.S. SENATE,
PERMANENT SUBCOMMITTEE ON INVESTIGATIONS,
COMMITTEE ON GOVERNMENTAL AFFAIRS,
Washington, DC.

The Subcommittee met at 9:30 a.m., in room SD-342, Dirksen Senate Office Building, under authority of Senate Resolution 80, section 13, dated February 26, 1987, Hon. Sam Nunn (chairman of the Subcommittee) presiding.

Members of the Subcommittee present: Senator Sam Nunn, Democrat, Georgia; Senator Lawton Chiles, Democrat, Florida; Senator Jim Sasser, Democrat, Tennessee; and Senator William V. Roth, Jr., Republican, Delaware.

Members of the professional staff present: Eleanore J. Hill, Chief Counsel; Daniel F. Rinzel, Counsel to the Minority; Mary D. Robertson, Chief Clerk; Kathleen Dias, Executive Assistant to the Chief Counsel; John Sopko, Deputy Chief Counsel; Dave Munson, Congressional Fellow, DEA; Lenny Willis, Investigation; Cindy Comstock, Staff Assistant; Alan Edelman, Counsel; Carla Martin, Assistant Chief Clerk to the Minority; Mary Vinson, Investigator to the Minority; and Bobbie Kammerman, Deputy Counsel to the Minority.

[Senator present at convening of hearing: Senator Nunn. The letter of authority follows:]

> Pursuant to Rule 5 of the Rules of Procedure of the Senate Permanent Subcommittee on Investigations of the Committee on Governmental Affairs, permission is hereby granted for the Chairman, or any Member of the Subcommittee as designated by the Chairman, to conduct open and/or executive session hearings without a quorum of two members for the administration of oaths and the taking of testimony in connection with hearings on the Federal Government's Drug Interdiction Program, to be held on March 18 and 24, 1987.
>
> SAM NUNN, *Chairman.*
>
> WILLIAM V. ROTH, Jr.,
> *Ranking Minority Member.*

OPENING STATEMENT OF SENATOR NUNN

Senator NUNN. As we begin this morning, I would like to first thank the Subcommittee's Ranking Minority Member, Senator Roth, for his assistance in planning today's hearing. During the course of Senator Roth's chairmanship of this Subcommittee from

1981 through 1986, he and I worked very closely together. We were able to work in the spirit of cooperation in keeping with the Subcommittee's tradition of bipartisan investigations which are based on objectivity and not on any kind of political partisanship.

I am confident that we will continue to work together under my chairmanship, and I look forward to Senator Roth's assistance and support on this and other investigations we intend to undertake this year. I certainly will be working with him and with the Minority on investigations that they are taking the lead on.

Last October, the Congress spent many long hours discussing the magnitude of the drug problem in this country and the extent of our willingness to do something about it. The product of all that discussion was a massive piece of legislation entitled the Anti-Drug Abuse Act of 1986, which was heralded by many as a comprehensive answer to the drug problem on all fronts: law enforcement, interdiction, education, rehabilitation and treatment. In total, the bill authorized some $1.8 million in Federal dollars for the drug war. Of that amount, nearly two-thirds, or $635 million, was dedicated to the Federal drug interdiction efforts which the Subcommittee will focus on this morning.

In that context, I am deeply disturbed by the findings of a report entiled "The Border War on Drugs," which the Office of Technology Assessment will release here this morning.

[The report referred to was marked Exhibit No. 1 and may be found in the files of the Subcommittee.]

Senator NUNN. Specifically, the OTA report finds that:

Despite a doubling of Federal expenditures on interdiction over the last five years, the quantity of drugs smuggled in the United States is greater than ever;

Only a small percentage of drugs are being seized, and the flow of drugs into this country has not yet been stemmed.

There is no clear correlation between the level of expenditures or effort devoted to interdiction and the long-term availability of illegally imported drugs in the domestic market;

Responsibilities of the Federal drug interdiction agencies are fragmented and overlapping; and

A lack of an overall direction that would establish a comprehensive approach to planning and operations limits the effectiveness of the interdiction programs.

Considerable efforts are now underway to spend more Federal funds on interdiction, as authorized by the 1986 drug bill. I certainly believe we need more funds. However, the questions remain: What we are going to do, how well are they going to be spent, and how effective are they going to be?

We will hear from Admiral Yost of the Coast Guard and Commissioner von Raab of the Customs Service this morning on their efforts to expand interdiction capabilities at their respective agencies. Included in those efforts is the expenditure of some $41 million for the establishment of a national command, control, communications and intelligence system, known as C31, by the Customs Service.

At next week's hearing, we will hear from the Drug Enforcement Administration on plans to expand the El Paso Intelligence Center, known as EPIC, and from the FBI on plans to establish the "All Source Intelligence Center," known as ASIC.

Both of these centers, as I understand it, will, like the Customs' planned C31, also disseminate intelligence for interdiction efforts. One of the questions, of course, is whether the efforts of establishing these new centers, these new command, control, communications and intelligence centers, are being coordinated or whether there are independent efforts that simply are not coming together.

Finally, we will hear from the Department of Defense next week, and they have certainly been given a great deal of new tasks and new emphasis in terms of what we expected from them in the support of the drug interdiction effort.

In short, there seems to be no shortage of programs or agencies involved in Federal drug interdiction. Unfortunately, there is also still no shortage of cocaine and a host of other dangerous drugs on our streets. Something is obviously not working in our "War on Drugs."

Perhaps it is time to seriously reconsider our approach to the drug problem rather than merely persist in doing the same thing we have done in the past. I certainly believe that we need to continue a vigorous interdiction effort, but I also believe that we are never going to solve the drug problem simply with interdiction. We are going to have to enlist the support of every community, every health agency, every education agency, and we are going to have to form partnerships, I believe, in every city of this country between law enforcement, health and education officials, starting at the grass roots and cetainly going all the way to Washington if we are going to do anything about the problem.

During the hearings which the Subcommittee will begin today, we will be looking at the Federal drug interdiction efforts in that context. We will focus particularly on the issue of command and control, a concept long used by the military and now being adopted to the drug war.

We will look at Customs Service's efforts to develop their new command, control, communications and intelligence program and particularly, its coordination with the Attorney General, the Coast Guard and the National Narcotics Boarder Interdiction System, as required by the drug bill.

On that point, we will examine the role of the President's Drug Policy Board, whose representatives will testify next week, in ensuring coordination among the agencies involved. This will be one of the main focuses of our two days of hearings, that is: Are the agencies coordinated, or are we in the Federal government simply fighting each other more than we are fighting drug dealers?

Also, the Subcommittee will want to examine the need for this new system, particularly in light of those border command and control systems already existing or on the drawing board, including the Air Force NORAD system and the Coast Guard/Navy Maritime Defense Zone system. On these points, this morning, we will hear from the General Accounting Office, who reviewed the command and control issue at our request, and from Frank Ault, former Interdiction Consultant with the Customs Service.

Finally, we will want to examine the C3I system and other current interdiction efforts in light of the requirements of the fiscal year 1987 Department of Defense authorization bill. Under an amendment to that bill which I sponsored, the President is required by May 13th of this year to designate lead agencies in the specified areas of the drug efforts: maritime and air interdiction beyond the U.S. borders; domestic and border drug interdiction efforts; and domestic and foreign drug law enforcement efforts.

My amendment last year, which is now law, was designed to prevent the kind of fragmentation and overlapping of agency efforts which I and others have found and suspected for some time and which has been confirmed by the Office of Technology Assessment this morning in the report which they will release.

This amendment also requires maximization of existing Department of Defense and Coast Guard networks. That provision responds, in part, to the growing cry for military participation in the drug war.

In many respects, I view increased use of the Coast Guard, with their combined tradition of military and law enforcement training, as one way to inject needed military expertise in the drug effort. It is not the only way, but I think it is a very important way that we should review.

I am, therefore, anxious this morning to hear how the Customs Service plans to maximize use of existing Defense and Coast Guard command and control networks in developing their planned C3I system. Moreover, I look forward to hearing the views of Admiral Yost and Commissioner von Raab on the President's upcoming designation of lead agencies in the drug effort.

Stephen Trott, Assistant Attorney General for the Criminal Division of the U.S. Department of Justice, will testify on behalf of the President's Drug Policy Board at next week's hearing. I am most interested in hearing his testimony on the President's plans for the designation of lead agencies.

We take this amendment very seriously in the Congress, and we want to make sure that the Administration is doing some careful thinking. We did not try to lay down any kind of path for the Administration. We simply gave them the mandate to make the decision about who was going to handle specific areas of drug interdiction because, obviously, it is not now well coordinated.

Finally, in listening to today's and next week's testimony, I plan to do so with broader questions in mind; questions which suggest it may be time to rethink our strategy on the drug war. Specifically, the questions that I will be asking are:

Are we getting the most for our dollars in drug interdiction, or have we reached the point where funds might be better used on other approaches, such as education or treatment?

If we do have a limited number of dollars, are we going to continue to put more in interdiction, or should we be shifting some of these dollars into other areas?

Where do we get the highest payoff in preventing drugs from being used in our society to the detriment of our youth and to the detriment of our society itself?

Have we lost sight of the realities of the interdiction mission in our rush to acquire more and more hardware?

Are we spending more time fighting the drug smugglers or more time settling disputes among our drug enforcement and interdiction agencies?

In the drug war, are our battles chosen and our resources allocated by the chance of the moment or by some kind of long-term, overall plan?

Have we developed a comprehensive strategy which makes the best use of the talents and technologies available to us? And I know we will be hearing form the Office of Technology assessment this morning on that particular issue.

These are the kinds of questions which I believe must be answered if we are ever going to launch a realistic and effective offensive against the drug smuggler that has both effectiveness and continuity. I look forward to these hearings with the hope that they may shed some light on these answers.

Senator Roth, I have already complimented you and your leadership of this Subcommittee, and I look forward to working with you in the future as we worked in the past. You did a splendid job when you were chairman. You were most fair to the Minority. We will do everything we can to reciprocate. We will do everything to be cooperative in these and future hearings.

[At this point, Senator Sasser entered the hearing room.]

OPENING STATEMENT OF SENATOR ROTH

Senator Roth. Mr. Chairman, it is nice to be on the right of you again. I want to congratulate you for continuing this Subcommittee's work in the area of drugs. I have a statement. I will not read it today, except to make a couple of comments.

I very much agree with you as to the importance of trying to find where we can best spend what funds are available. Too often, I think the problem in Washington is that we try to throw money at a problem without considering how it is being spent, and when we do not get the results that we desire, people become discouraged with the programs in general.

Mr. Chairman, one of the things that bothers me the most in Washington, and something this hearing is directed at, is the question of turf wars. As long as I have been in Washington, there has been a continuing problem in getting cooperation—genuine cooperation—between the various agencies that have responsibility within a particular area of activity.

That has been true of the drug war. In fact, Mr. Chairman, we can go way back to the days of President Nixon when there were some extremely serious problems among the agencies having responsibility. Something I think we really ought to direct our attention to is: How do we get agencies to cooperate rather than to fight for their own particular bailiwick, their own turf?

Part of the problem is up here with the congressional committees, admittedly. So, I congratulate you, because I think you have identified a serious problem. I am going ot have to come in and out, because we also have trade hearings today. You know the problem. But once again, I look forward to working with you.

[Senator Roth's prepared statement follows:]

PREPARED STATEMENT OF SENATOR ROTH

I am pleased to be here this morning as the Permanent Subcommittee on Investigations reviews a most important topic: this country's border interdiction strategy against drug trafficking, and the expenditure of federal funds for this purpose.

During my tenure as Chairman of this Subcommittee, I believe that more hearings were held on various aspects of narcotics trafficking and abuse than any other subject. In 1981, Senator Nunn and I held comprehensive heartings on international narcotics trafficking, and more recently the Subcommittee has reviewed specific topics such as crack cocaine, the deglamorization of drugs by the entertainment industry, and the laundering of drug profits by financial institutions. Today's hearing continues the Subcommittee's past efforts, and I applaud Chairman Nunn's continued commitment to this important subject.

The reason for our continuing interest is clear: narcotics abuse continues to adversely impact upon countless numbers of individuals, families, and employers.

But however critical our concerns, the federal government operates with limited fiscal resources, and the funds appropriated for anti-drug efforts, like any other worthy program, must be utilized wisely and efficiently. Duplication of efforts and uncoordinated efforts must be avoided. I have made no judgment on the Command, Control, Communications and Intelligence Centers planned by the Customs Service, and I intend to consider the testimony which will be presented with an open mind. However, it is already clear to me that here has not been adequate cooperation and coordination among the numerous federal agencies involved. It may well be that past actions by the Congress have contributed to the current confusion. Whatever the case, I think it will be far more fruitful for us to seek solutions than to seek to censure, and I trust that will be our goal.

I would like to commend Senator Nunn and his staff for the work they have done in preparing for these hearings, and I am certain that, under Senator Nunn's leadership, the Permanent Subcommittee on Investigations will continue its longstanding interest in these important issues.

Senator NUNN. Thank you very much, Senator ROTH.

Senator Glenn is chairing a hearing on the Armed Services Committee on Manpower and Personnel. He will not be able to be here very much of the time. He is very interested in the subject, and I would ask unanimous consent that a written version of his statement be inserted for the record. Also, Senator Mitchell would have been here, but he has other hearings this morning, so I would ask unanimous consent his statement be inserted in the record on him. Without objection, these will be inserted in the record.

[The statements of Senators Glenn and Mitchell follow:]

OPENING STATEMENT OF SENATOR JOHN GLENN

Unfortunately, today's drug pilot can choose from among many smuggling routes into the United States from Latin American and island based drug producing and transit countries. Deciding where to cross the U.S. border is based primarily on the perceived effectiveness of the various law enforcement operations in place from California to Florida.

Accordingly, the U.S. Government has been and will continue to be at a disadvantage unless we ensure that the law enforcement response is uniformly effective along the entire southern border. Moreover, we must ensure that appropriate Government agencies are in a position to take full operational advantage of the new advanced sensors, aircraft, and other drug interdiction tools soon to be in place. The drug invasion must be terminated before the drugs reach the streets of this country.

To this end, last year Congress appropriated millions of dollars for command, control, communications, and intelligence centers to be established in the Southwest and Southeast portions of the United States. Specifically, Congress legislated that the Customs Service coordinate the establishment and location of these C3I Centers with other interested agencies, including the Coast Guard.

It appears that a major disagreement has developed over the extent to which the Customs Service has coordinated its C3I planning efforts, and perhaps more to the point, whether the Customs Service or Coast Guard should have the lead role in operating the proposed C3I Center in Florida. I expect that the witnesses from the Coast Guard and Customs Service who will appear before this subcommittee will address these and any other matters of disagreement.

The most important issue for me, and I believe for the country, is that this current battle over who should have the lead role in establishing and operating authorized C3I Centers has put a halt to all forward progress in setting up the C3I Program and consequently, in making progress in stemming drug trafficking. This is an intolerable situation, and I anticipate that the respective agencies will soon resolve their differences and get on with the business of integrating and coordinating U.S. Government air drug interdiction efforts.

OPENING STATEMENT OF SENATOR MITCHELL

In 1986, Congress passed the Omnibus Anti-Drug Abuse Act, which established a comprehensive, national anti-drug policy. The legislation included an authorization of $25 million for the Customs Service to develop a comprehensive, command, control, and intelligence ("C3-I") system for Federal drug interdiction efforts.

The legislation also required that establishment of the C3-I Centers be coordinated closely with the National Narcotics Border Inderdiction System (NNBIS), the Department of Justice, the Coast Guard and other Federal agencies.

The fiscal year 1987 Defense Authorization Act also requires the President by May 1, 1987 to designate lead agencies in key areas of overall drug interdiction strategy: domestic and foreign drug law enforcement, domestic and border interdiction, and marine and air drug interdiction beyond our borders.

During Congressional debate on the anti-drug legislation, consideration was given to the role of the Armed Forces in Federal drug interdiction. Military expertise, experience, and equipment have an obvious application in the war against drugs—and should be made available as appropriate to the other federal agencies involved in that war.

Last year's legislation clearly envisioned close cooperation and coordination cutting across all agency lines.

Propoer implementation also requires reexaminiation of the underlying assumptions in Federal anti-drug efforts which existed before last year, as well as careful long-range planning for the future.

Taxpayer dollars—and the war against drugs—are undercut unless such cooperation, coordination and planning takes place.

Like other members of the Committee, I am greatly troubled by reports that the C3-I program is proceeding without consultation from the Department of Defense; withour oversight by the President's Drug Policy Board; without proper coordination with the Coast Guard; and without long-range planning.

Congress will not tolerate Federal agency turf battles or power plays in the war against drugs. Efficiency and effectiveness are our paramount concerns, and the public interest is our only concern.

Senator NUNN. Senator Sasser, do you have any opening remarks this morning?

OPENING STATEMENT OF SENATOR SASSER

Senator SASSER. Thank you, Mr. Chairman. I have just a few brief comments to make. Number one, I want to commend you for calling these hearings here today. I think these hearings can be a very important help to us in our overall fight against the problem of drugs coming into this country and, indeed, sapping the very vitality of a large portion of our population.

I must say, Mr. Chairman, that I have been somewhat disturbed in recent weeks and months by reports I have been receiving of a lack of coordination among the various Federal agencies that are charged with the responsibility for interdicting drugs coming into the United States from abroad.

I hope that these reports have not been accurate. I think it is very much in the national interest; it is elementary that there ought to be total cooperation between the various Federal agencies in trying to stop the flow of drugs into this country, and if there is any one area where we certainly cannot tolerate battles over bureaucratic turf, it is in this particular arena.

So I look forward this morning to the testimony of these witnesses just to see what the situation is, and I might say in advance, Mr. Chairman, that I am holding some hearings this morning which are going to require me to leave at an early hour, something you might be interested in, the question of burden sharing on the part of our NATO allies. We are holding some hearings on that in the Military Construction Subcommittee. So I will have to leave here very shortly, but I look forward to hearing as much of the testimony as possible.

Senator NUNN. Thank you very much, Senator Sasser.

We are first going to hear from the Office of Technology Assessment this morning. We have Mr. Peter Johnson, who is the Project Director of Oceans and Environmental Programs, and Mr. Larry Jenney who is a Senior Analyst with the Office of Technology Assessment.

We also have in our panel this morning and we will hear from them next, Mr. Arnold P. Jones, Senior Associate Director of the General Government Division of the General Accounting Office and Mr. James H. Burow and Grace Haskins of the General Accounting Office. We will be hearing from them next. We are delighted to have all of you here.

To save time, we swear in all the witnesses before our Subcommittee, so if you will all stand and hold up your right hand, we will swear you in. Do you swear that the testimony you will give before the Subcommittee will the truth, the whole truth and nothing but the truth, so help you God?

Mr. JOHNSON. I do.

Mr. JONES. I do.

Mr. JENNEY. I do.

Mr. BUROW. I do.

Ms. HASKINS. I do.

Senator NUNN. Mr. Johnson, why don't you lead off? We appreciate your work and look forward to hearing from you.

Mr. JOHNSON. Thank you, Mr. Chairman. With your permission, I will summarize.

Senator NUNN. Your entire statement will be part of the record,[1] without objection, and we will put other statements in the record. But where you can, please summarize but still capture the essence of your remarks if you could, and it will save time.

TESTIMONY OF PETER A. JOHNSON, PROJECT DIRECTOR, OCEANS AND ENVIRONMENT PROGRAM, OFFICE OF TECHNOLOGY ASSESSMENT, ACCOMPANIED BY LARRY JENNEY, SENIOR ANALYST, AIR INTERDICTION INVESTIGATIONS

Mr. JOHNSON. Mr. Chairman and members of the Subcommittee thank for the opportunity to present some of the results of our recently completed study.

I am Peter Johnson. I am the Project Director for that study, and with me today is Larry Jenney. He is a senior analyst at OTA who was responsible for our air interdiction investigations, principally.

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[1] See p. 131.

Today, I will summarize the OTA study results pertaining to the drug smuggling problem and Federal drug interdiction efforts as a whole, as well as specific aspects that relate to the subject of these hearings the development of command, control, communications and intelligence centers.

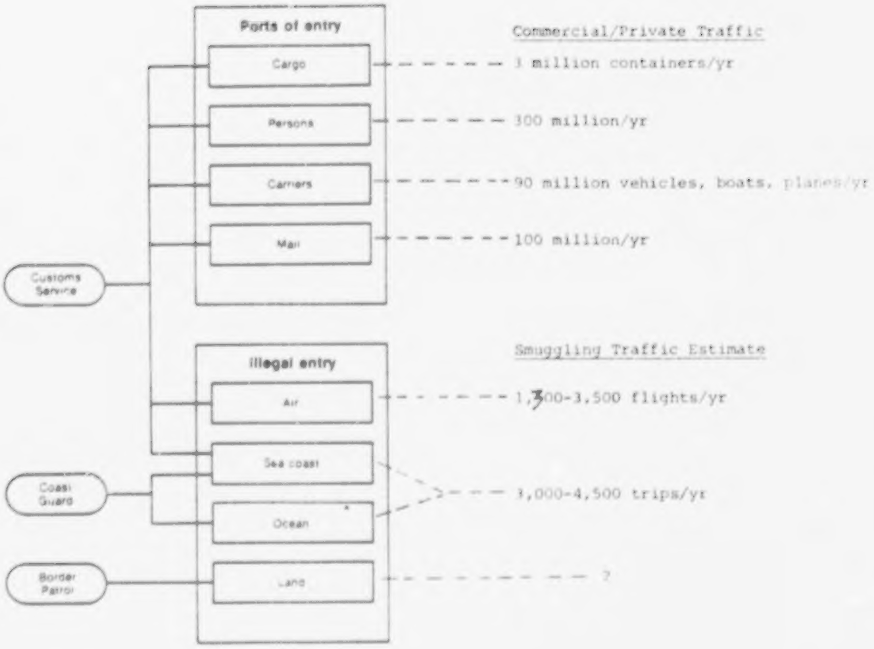
OTA's study focused on the three major illegal drugs: Heroin, cocaine and marijuana, which account for almost all drug smuggling into the United States. These drugs are transported from foreign countries by a variety of methods which can be categorized as either entries through official ports or surreptitious entry by means that avoid official ports.

I would like the call your attention to the first chart that we have brought with us today, which illustrates the drug interdiction responsibilities of the key agencies by mode of entry as well as some estimates of total traffic related to these modes.

[The chart was marked Exhibit No. 2 and follows:]

EXHIBIT NO. 2

Roles Of Drug Interdiction Agencies



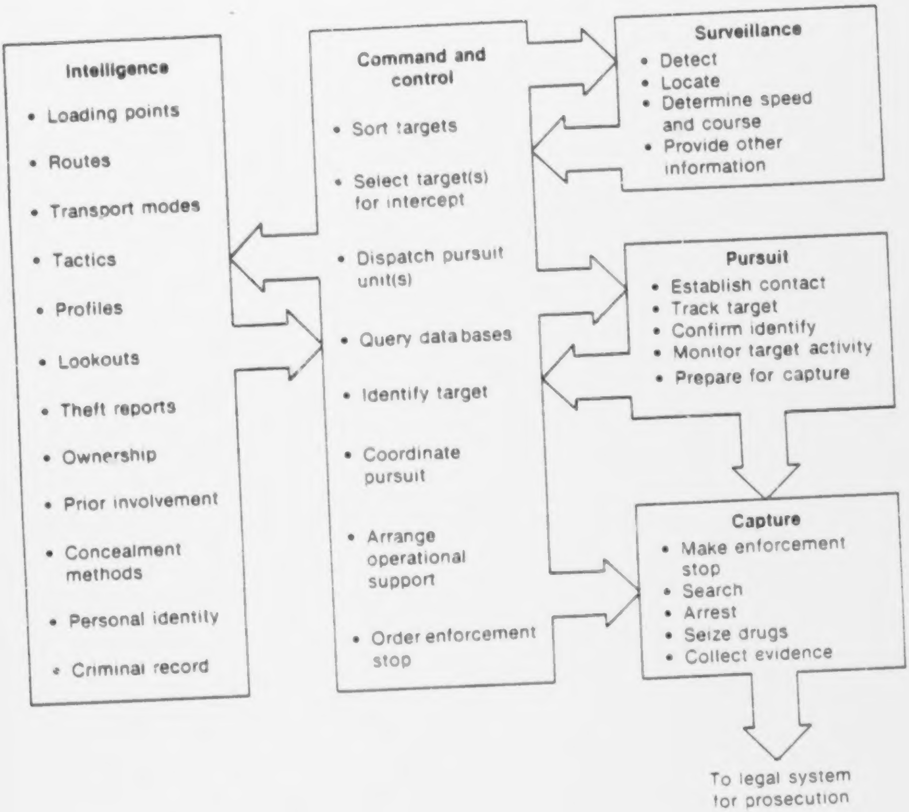
Mr. Johnson. As you can see, the agencies with primary responsibility for drug interdiction are the Customs Service and the Coast Guard. Customs is charged with combatting drug smuggling by private aircraft, by private vessels in coastal waters and by all modes at ports of entry. The Coast Guard shares responsibility with Customs for interdiction of seaborne drug traffic near shore and conducts patrols along the entire U.S. coast and the open ocean, and they concentrate, at the present time, in the Gulf of Mexico and the Caribbean Sea.

Along the Mexican border between ports of entry, the Border Patrol of the Immigration and Naturalization Service exercises drug law enforcement efforts as an adjunct to their primary mission of preventing illegal immigration.

We also prepared another chart as a way of describing the interdiction process and its components. It is entitled "Interdiction functions". It shows the broad categories of activities as intelligence, command and control, surveillance, pursuit and capture.

[The chart is a continuation of Exhibit No. 2 and follows:]

Interdiction Functions



Mr. JOHNSON. Intelligence plays an important role, as you know, throughout the interdiction process. It simplifies the separation of smugglers from legitimate traffic and provides advance information on departures, routes, destinations and where drugs may be hidden.

Command and control provides the mechanism to manage and integrate all available information about a potential target and to select, distribute or display the most significant data for oprational decisions. The second chart may be useful later to illustrate some other points, but I would like to now summarize the key findings of our study.

The first, there is no clear correlation between the level of expenditures or effort devoted to interdiction and the long-term availability of illegally imported drugs in the domestic market. Apparently, given the profitability of drug smuggling, a worldwide glut of drugs, and the view that the United States is a favored market, interdiction alone will probably never result in more than a short-term or relatively small reduction in drug availability.

Second, the data on drug smuggling, the trafficking system and interdiction activities are inadequate for effective planning and management. Such data are very much needed to make informed selection of best strategies, to allocate enforcement resources and to guide management of interdiction programs.

Responsibilities among Federal drug interdiction agencies are fragmented and overlapping. The lack of a suitable institutional framework is a major impediment to the adoption and effective use of technologies, particularly command and control systems.

Next, the value of intelligence is very high for all aspects of drug interdiction. In particular, good tactical intelligence can mean a large increase in ability to identify smuggling attempts.

Another finding is that no single technology has been identified that could solve the nation's overall drug interdiction problem. Rather, there are many opportunities for individual technologies to make incremental contributions to specific efforts of interdiction, although, most technological improvements by themselves may have only temporary benefit, because drug traffickers have known to take rapid and successful diversionary actions.

Lastly, there is a serious lack of support for research, development, test and evaluation of new or transferred technology within all drug interdiction agencies.

Our assessment also suggests a range of options that could be employed by the Federal agencies in an effort to improve the effectiveness of future operations, increase success within their operational strategies, and to make more efficient use of the resources available. These options are not mutually exclusive but could be adopted either individually or together.

They are as follows: First, principal interdiction agencies under some central authority could prepare a coordinated, long-range plan for deployment of interdiction resources and technologies to apply pressure on major smuggling modes at ports as well as at the air, marine and land borders.

Next, the interdiction agencies could establish a system and standards common to all agencies which could be used to evaluate current capabilities and the effectiveness of technologies and techniques used for interdiction.

For the port of entry interdiction problem, Customs Service or another agency could establish a more substantial research and development program, principally to look at effective detection technologies.

For the surreptitious border entry, air, marine and land, cooperative agency groups could design a border surveillance detection network that would be more effective for smuggler traffic.

One aspect of Customs and Coast Guard operations that we also examined was the command, control, communications and intelligence capabilities. Effective interdiction requires the ability to gather and integrate information from a variety of sensors; to make prompt and correct tactical decisions; and to direct and coordinate the deployment of resources and to communicate rapidly and securely with field units.

The crucial importance of the C3I function is illustrated in this operational diagram, which shows the flow of information to and from the central command and control block.

At present, as you know, the Coast Guard and the air and the marine programs of Customs Service each have separate command and control centers and communications networks. Perhaps the most serious problem with some of these networks is not technological, but organizational. Coast Guard, Customs and DEA have not established procedural agreements and protocols that would allow tactical operation on a specific and on an ad hoc basis.

It appeared to us that many aspects of C3I design and operation need attention, but three of those stand out as critical:

First, the quality of the surveillance and intelligence data coming into the network is very important;

Second, the completeness and security of the communications network; and

Third, the protocol for tasking various assets in the field, especially with different agencies and branches of agencies involved in single operations.

It would be prudent in the future to consider the following when developing the next generation C3I system:

The handling and integrating of sensory data is an important aspect. A C3I center should be allowed to handle sensors such as ground radar, airborne radar, aerostats and other kinds of sensors. Also, it should include new sensors that may be deployed in the future that would add to the information base.

Modal coverage is also important. It may not be practicable to integrate all air, sea and land surveillance in one network, but there are a number of situations where integration is very desirable.

Next, geographic coverage. Wide geographic coverage is important, and this also leads to wide-reaching command and control networks.

Intelligence capability is another very important aspect, and the C3I centers need access to a variety of intelligence data.

Again, multi-agency tasking we consider very important. Multiagency operations are difficult to manage within a C3I center unless prior agreements establish a system for coordination, cooperation and support. Since tracking and interception of smugglers requires so many costly assets, efficiency can only be obtained if agencies and their specialized branches work together well. It may not be necessary to reorganize governmental agencies to do this, but more extensive field operating agreements are certainly needed.

Lastly, flexibility. As interdiction reaches levels of success against one mode of transport, it has been our experience that smugglers would undoubtedly switch operations to other modes of areas of lower risks. It is important, therefore, to build in flexibility to the center.

In sum, Mr. Chairman, there are numerous opportunities for technological improvements in the border war on drugs. These could lead to more effective use of Federal resources. Interdiction alone will not solve the Nation's overall drug problem, but it can deter and increase the risk for some smugglers, force them to switch modes and tactics and contribute to the investigations of trafficking organizations. The importance of C3I in any interdiction operation, as you have said, is well-established, especially within the military.

Drug interdiction assets of both Customs Service and Coast Guard would be enhanced by the introduction of more effective and comprehensive C3I networks, but is is vital that the network designs be based upon clear strategies, coordinated operational concepts and comprehensive planning.

Thank you.

Senator NUNN. Thank you very much, Mr. Johnson. Is Mr. Jenney going to have any statement, or is he here for support?

Mr. JOHNSON. No, not this morning, sir.

Senator NUNN. Mr. Johnson, let me go ahead and ask you a few questions now before we have our next witness, and then we will come back to you after we have the next witness testify.

In your statement, you say that in spite of more than doubling the Federal expenditures on drug interdictions since 1981, only a small percentage of drugs is being seized and the amount of imports has increased during that time.

Does this tell us that we are fighting an inevitable tide and that we are doing the best we can; or does it tell us that our efforts are woefully inadequate and that we can do much better, or is it somewhere in between? How would you summarize what this report is really telling us?

Mr. JOHNSON. I think it tells us we are somewhere in between. It in not a hopeless task, but the actual effect of interdiction alone is one that will probably always be rather shortlived and rather limited.

On the other hand, interdiction is a long-term problem, and in many cases, it has been cited more as a quick war rather than a long war. We have noted that we weren't able to make any correlation between interdiction efforts and the number of other data points that we were able to gather together.

We also weren't able to use some of the data because it wasn't available in the right form or in a way that could give us information by which to measure the effect of interdiction over the past few years.

Senator NUNN. We were told back eight or nine or ten years ago—I believe it was during the Ford Administration—by Peter Bensinger, who was then head of the Drug Enforcement Administration, that one of the best ways to check whether we were really succeeding or making progress in the fight against drugs flowing into this country, was to check the street price of drugs.

First, do you agree that that is one indicator? And second, if you check the street price of drugs, what is happening?

Mr. JOHNSON. That is probably a good indicator, and that is what is disturbing about some of the data that we have looked at. The fact is, in the situation of cocaine, especially, the street price has gone down substantially over the past five years. At the same time——

Senator NUNN. Indicating the supply is going up?

Mr. JOHNSON. Indicating the supply is going up; indicating that there is a large oversupply compared to the demand.

On the other hand, the agencies that have been involved in drug interdiction tend to use seizures more than things like price or purity as an indicator of their overall effectiveness. Seizures can sometimes be very misleading in terms of evaluating how effective you are. It can be, and it has in the past, been that more seizures may just mean that there are just more drugs coming in.

Senator NUNN. The relationship between supply and demand is determined much better by the price on the street than it is by the number of seizures, pounds of seizures that take place; wouldn't you agree?

Mr. JOHNSON. Yes, I would agree with that, and I would think that a major goal of interdiction efforts is to increase the risk of smuggling and thus, probably increasing the pressure on smugglers and lower the supply of drugs coming into the country.

Senator NUNN. Did you take a look at whether we can better utilize our military assets? Was that part of your study, or did you address that?

Mr. JOHNSON. Yes, we took a look at the long-term utilization of military assets, as well as military assets that are or can be applied to the interdiction problem. It was our view that, in particular, in the mode of entry around official ports, that is, surreptitious entry by private aircraft, private vessel, that military technologies were more appropriate, and they could be used or adapted in a very appropriate way for the missions of both Customs and Coast Guard.

Now, Customs and Coast Guard do have some military assets now that they are working with; DOD has operated some with both agencies, and more are coming in.

Senator NUNN. We had a bill last year that basically gave a mandate to the military to close off our borders to drugs coming in within a certain period of time. What do you think of such an approach that basically gives the military the power and the mandate to get out there and basically seal the borders against drugs?

Mr. JOHNSON. The only problem with such an approach is that the absolute sealing off of the borders is a very difficult and perhaps very costly operation, and it probably is prudent to evaluate what the future costs of doing that, not only in dollars, but also in disturbance of legitimate commerce and other legitimate use of ports and borders.

Senator NUNN. The big problem appears to be that you have got such a huge amount of traffic, boats and planes and so forth, compared to the number of them carrying drugs, that sealing it off is really a matter of sorting them out and trying to determine which is legitimate and which is really the illegitimate, right?

Mr. JOHNSON. Yes, that is very true, and the borders are very permeable in many locations. We have noted in the earlier chart that we don't have very much information on land borders, and in between ports, that is, and that is not because there may not be a problem there, but there hasn't been much effort there to interdict smuggling up until this past year.

Senator NUNN. When did you complete your study?

Mr. JOHNSON. We completed most of our work at the end of 1986 and have spent the past few months publishing the report.

Senator NUNN. So it is up to date, so to speak?

Mr. JOHNSON. Yes, it is up to date. And I would say that there haven't been many changes with the exception of the introduction of a number of new technologies, but those technologies, such as the Navy's E2Cs and the Coast Guard's mobile aerostat platforms are just now coming into the field.

It is too early to say how effective they really are. It is our view, though, that in order to be effective, they need to be integrated into a more coordinated strategy for their use.

Senator NUNN. Have you looked in detail at a lot cf different technologies? For instance, there are number of commercial companies that are now pushing certain technologies. Have you taken a look at any of those on an individual basis?

Mr. JOHNSON. Yes, we have, and we have a fairly detailed catalog of technologies, not all of which are in our report that we released today, but we have information on the capabilities and on the advantages of each.

Senator NUNN. We have been contacted by several, and I would submit to the record for you, if you could submit back, an answer to us on your comments on those particuar ones. Of course, it would help us to have in our record your overall catalog, too.

Mr. JOHNSON. Certainly.

Senator NUNN. Senator Sasser, you have others, but I will defer to you and come back.

Senator SASSER. Thank you, Mr. Chairman. I simply have one question, and I will probably have additional questions that I would like to submit for the record.

Mr. Johnson, my State, Tennessee, has had a particular problem with drug smuggling as Federal efforts around the Gulf of Mexico have increased and have been more and more effective. What we are seeing are drug smugglers overflying some of the coastal States and landing their drugs in inland States such as Tennessee, for example, landing in the small mountain airports in the eastern part of Tennessee that are largely unattended. During the evening, the smugglers are landing there and unloading their drugs and then taking the drugs, many times, back down south by automobile and other ways.

What technologies are available which would improve coordination with State and local law enforcement agencies to aid in drug interdiction in some of the inland States that are now being, where we are seeing drugs coming in as a result of overflying the coastal States?

Mr. **Johnson**. Mr. Sasser, I would like to ask my colleague, Larry Jenney, to address that question.

Mr. **Jenney**. I think there are two areas in which technologies might be brought into play to ease the problem you are speaking of, namely, the problem of leap-frogging the border and landing the drugs in the interior, Tennessee or other interior States.

One is some ability to take better advantage of the FAA internal radar network for covering air traffic. Customs efforts are largely concentrated at the border, and quite properly so, to catch smugglers as they penetrate, but once inside the border, the radar coverage, particularly at low altitudes where these aircraft operate, is somewhat sparse. The ability to integrate radar data into a C3I center, illustrated in the earlier chart, shows how important it is to have a comprehensive radar mosaic of the air situation.

Second, of course, it is communications; the ability to communicate rapidly and securely with local or state or county law enforcement agents who could come to the scene and assist in making the arrest or in pursuing the drug smugglers once they have landed their cargo on the ground.

Those two areas need some strengthening and improvement. Of the two, C3I is perhaps the most crucial technological need.

Senator **Sasser**. Thank you.

Thank you, Mr. Chairman.

Senator **Nunn**. Thank you.

Mr. Johnson or Mr. Jenney, whoever would prefer to answer this question, do you have an estimate of the number of aircraft entering the United States today, and do you have an estimate of the number of illegal drug-carrying aircraft coming in and a percentage between the two?

Mr. **Jenney**. Yes, Mr. Chairman. With respect to the first point, the precise number is somewhat difficult to determine because many of the flights that we are concerned with and that form the background against which drug smuggling flights hide are legitimate, private aircraft operating at rather low latitudes without flight plans in the border area.

They number on the order of five million operations a year, although not necessarily all transborder. Many of them operate along the border, but they represent the background in which one must try to detect smuggling flights.

Senator **Nunn**. About five million such flights per year?

Mr. **Jenney**. Per year, which amounts to something like 10,000 to perhaps 13,000 per day across the entire southern tier of states from Georgia, in the east to California in the west.

Senator **Nunn**. That is just the south border. That doesn't count the east or the west or the north?

Mr. **Jenney**. That's right. It does not count the border north of South Carolina on the east coast or in northern California and Oregon and Washington on the west coast.

Senator **Nunn**. That many per day that do not have flight plans?

Mr. **Jenney**. Some do; most don't. This is the number of small, private aircraft operating in the border region, some of which are transborder flights. It is a one in 1,000 kind of problem to sort drug smugglers from the background traffic.

Senator NUNN. How many of those do you think just per day are smuggling planes? Have you got any way of estimating that?

Mr. JENNEY. We looked very closely at that question, Mr. Chairman, because it is crucial to measuring the effectiveness of the interdiction effort. We examined several studies by Federal agencies, either by the agency directly or by contractors serving the agencies. The general range of estimates made over the last five years are 1,000 to 1,500 flights per year on the low side to 4,000-4,500 flights per year on the high side.

We attempted to narrow that range through an independent analysis and reached the conclusion that somewhere between 1,300 and 3,500 flights per year may cross the border carrying drugs, which is to say, somewhere between roughly three and a half and ten per day. If you set the high estimate, ten per day, against the roughly 10,000 flights per day that may be operating in the border area, you are dealing with a one in 1,000 detection problem. It is a very, very difficult detection and sorting task that the agencies face.

Senator NUNN. So if you were really going to try to close it off, what you would have to really do, I would have to stop and search 99 and——

Mr. JENNEY. 999 in order to catch the one.

Senator NUNN [continuing]. In order to catch the one. You would almost completely shut down legitimate commerce, would you not?

Mr. JENNEY. Of all sorts, both across and along the border areas. We would have a border very much like that which rings the Soviet Union, which would be a grim prospect in many ways.

Senator NUNN. In light of that, what is the best way to apprehend drug smugglers, particularly in aircraft?

Mr. JENNEY. There are two key elements. But first let me say, by way of background, that interdicting drug smugglers is a chain of events. It starts with detection of suspected traffic and concludes with apprehension of the aircraft once it has landed or attempted to off-load its drug cargo by air drop. In between, you must intercept and you must track suspect aircraft. If any one of those elements is ineffective or fails to perform its function, the entire operation comes to naught.

As a result of our examination of interdiction technologies, good surveillance—broad area, far-reaching and extensive along the borders—is the necessary first condition. But it is not sufficient.

The second condition, which is equally important, is a command, control and communication and intelligence network that can accomplish the sorting task and coordinate pursuit and capture as the operation proceeds.

Senator NUNN. How do you assess our current capabilities of deterrence and detection and seizure?

Mr. JENNEY. Surveillance is extremely spotty. It probably is best and most concentrated in south Florida, where there is a combination of military surveillance radar and Customs Service aerostat radars, coupled with the FAA network. It is the only area that has a surveillance network that is anywhere near complete.

On the rest of the border, there are large gaps and intermittent coverage, such that there is little ability to screen the entire border and all traffic.

Senator NUNN. How do you assess and evaluate the overall effectiveness of the Customs air interdiction operations?

Mr. JENNEY. We addressed that question very closely. Using data supplied by the Customs Service, we were able to analyze performance, both overall, and in particular regions of the country. Overall, based upon the information supplied in air operations reports, we concluded that Customs is interdicting somewhere between 3 and 5 percent of the drug smuggling flights that cross the border. In some areas, south Florida, particularly the percentage may be as high as 10 percent, but nowhere else did we find a percentage as high as that. In some areas, we found that less than 1 percent of the flights are intercepted.

Senator NUNN. So in the best area, we are intercepting perhaps 10 percent and that is in the south Florida area. So even at best, 90 percent of the drug smuggling planes are getting through?

Mr. JENNEY. That's correct, perhaps more than 95 percent.

Senator NUNN. What about other regions, like the Gulf Coast, South Pacific, East Coast, so forth?

Mr. JENNEY. The interdiction rate on the Gulf Coast is not as high; perhaps one and a half to 4 percent. On the Arizona, Texas, and New Mexico border perhaps in the range of 3 to 5 percent; on the East Coast, north of Georgia or South Carolina, and on the West Coast, virtually nil. We know of no intercepts that we have been conducted by forces stationed anywhere north of Jacksonville. There have been pursuits from south Florida to points in the north, but no intercepts made by forces located north of Jacksonville on the East Coast. There has been only one seizure in the last two years on the West Coast.

Senator NUNN. First of all, what are we doing wrong? I think you already alluded to that.

Second, if we were to start doing everything right that you recommend, what could we expect?

Mr. JENNEY. Well, doing things right, as you put it, probably involves doing more. That is to say, more extensive radar coverage, matching that which exists in south Florida. The recent legislation looks to that by providing funds for seven additional aerostat radars to be deployed along the southwest land border.

In addition to more surveillance; a better C3I system—more sophisticated, more far-reaching, more comprehensive, and more secure. Also, more aircraft to pursue and apprehend. So more is part of the answer, a very important part of the answer.

And, as I have suggested, better is the second part of the answer, namely, more effective interagency and intra-agency coordination. How much better could it be is a conjectureal matter, but it might be that the level of effectiveness achieved in south Florida could be duplicated elsewhere along the border. That might be the low end of the expectation.

Senator NUNN. Are you saying we are not going to be able in improve much in south Florida itself?

Mr. JENNEY. Perhaps some, but somewhere in the range of 10 to 15, perhaps 20 percent would be a reasonable, upper expectation for interdiction of aircraft throughout the country. It is not going to be 100 percent, and it is very unlikely to get to as high as 50 percent.

Senator NUNN. Also, one of your findings was that we just don't have enough effective data on drug smuggling. What is the significance of not having the data?

[At this point, Senator Sasser withdrew from the hearing room.]

Mr. JOHNSON. The data that is available have been collected principally by individual agencies and are based on seizures. The problem is that it is very difficult to collect, and, when it is put together, to add it up. In the past, there have been a lot of double counting of seizures. It is our understanding that some of that has been eliminated as the new procedures for collecting seizure data.

But the problem is that very little data is collected to make some evaluations of either total programs or total systems or individual agency activities. So we don't know, for instance, whether the operations of Coast Guard or Customs in the near-shore marine areas have been increasing or decreasing in terms of their effectiveness on drug smuggling; nor do we even know, very well, which seizures can be attributed to each agency. There is some confusion in the data between those agencies, especially in the marine area.

Senator NUNN. Especially in what area?

Mr. JOHNSON. In the marine area.

Senator NUNN. By that you mean?

Mr. JOHNSON. Private vessel smuggling.

Senator NUNN. Between what agencies?

Mr. JOHNSON. Between Customs and Coast Guard, who have joint responsibility in the near-shore borders.

Senator NUNN. Thank you very much.

Mr. Jones from the General Accouting Office.

TESTIMONY OF ARNOLD P. JONES, SENIOR ASSOCIATE DIRECTOR, GENERAL GOVERNMENTAL DIVISION, GENERAL ACCOUNTING OFFICE, ACCOMPANIED BY JAMES H. BUROW, GROUP DIRECTOR, AND GRACE HASKINS, EVALUATOR

Mr. JONES. Mr. Chairman, I am pleased to be here to participate in these hearings. I am accompanied by Jim Burow, on my immediate left, who is in charge of all the work we do in the Customs Service, and to his left is Grace Haskins, who is the Evaluator-in-Charge of this particular study.

On January 5, your Subcommittee and the Senate Committee on the Budget requested that we review Customs C3I center program. To date, we have obtained information on the objectives, current status and interagency coordination of Customs' program. This information and a discussion of determinations Customs must make regarding the program will be the subject of my testimony today.

Obviously, I have a fairly lengthy statement, and with your permission, I would like to submit it for the record and summarize it in such a manner to give you as much information as we can, given the time constraints.[1]

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[1] See p. 175.

Senator NUNN. Without objection, your complete statement will be inserted in the record.

Mr. JONES. As we all know, Customs operates an air interdiction program, the objective of which is to apprehend illegal drug smuggling via private airplanes. It also operates a marine interdiction program aimed at detecting and apprehending illegal smuggling via marine vessels operating within the 12-mile coastal water boundary of the United States.

The C3I center program was initiated by Customs to better support its air interdiction program and subsequently was modified to include marine interdiction activities in its eastern sector.

In very general terms, and my colleague here has certainly done a detailed job in talking about C3I, but Customs' C3I program should enable it to integrate multiple sensor and other data sources into centralized facilities to: One, provide detection and identification of suspect smugglers; two, control and coordinate intercept operations; three, establish intra-systems communications; and four, to enhance anti-drug smuggling intelligence.

Customs has, of course, initiated a number of studies, which have discussed the centralization of drug interdiction, command, control, communications and intelligence capability. The Congress also, as we all know, supported this concept by providing funds for Customs to initiate the development of its C3I centers.

I want to now talk very briefly about the current status of Customs' C3I program. Customs has certainly taken several steps toward establishing these centers. In May of 1986, it awarded a contract for about $109,000 for technical support services. Subsequently, the contract was increased by about $186,000 to a total of $295,000 in October of 1986.

On June 20, 1986, Customs issued a request for proposals to acquire the services of one or more contractors who would enter into the first step of a two-step procurement intended to lead to the acquisition of an integrated C3I system. On September 30, 1986, Customs awarded contracts to each of three firms for about a half million each for performance of the first phase, which is currently underway.

The Director of Customs' Office of Enforcement Support told us that as of March the 5th, 1987, a date now past, the systems being designed will involve two separate operations centers located in March Air Force base in California and Richmond Heights, Florida, which is south of Miami.

The Director told us that in addition, a national C3I facility will be located in Oklahoma City, Oklahoma.

In the southeast, the Richmond Heights, Florida center will be a joint C3I facility for air and marine interdiction activities. The Director of Enforcement Support told us on March the 4th, 1986 that a construction contract for the March Air Force Base facility should be awarded and construction begun by the end of this month. He said the construction contracts for the other facilities at Richmond Heights and Oklahoma City should be awarded in the near future.

I am just going to digress a little bit to talk about the agencies involved in drug interdiction, because I think that is important to the overall issue. As you know, and as you have already stated in your opening remarks, Mr. Chairman, the Anti-Drug Abuse Act of 1986 states that coordination of the establishment and location of C3I centers shall be conducted by the Commissioner of Customs together with the Commandant of the Coast Guard, the Attorney General of the United States and the National Narcotics Border Interdiction System.

Through negotiations, the most recent manifestation of which we were made aware of as late as yesterday evening, Customs and Coast Guard agreed, or I should say now agree, as of March 6 to colocate eastern U.S. air and marine C3I activities at Richmond Heights, Florida.

I am going to come back to that issue just a little later. Customs officials told us that Customs has kept other agencies informed about its plans and has solicited the help of the Department of Defense. The Air Force agreed to provide the necessary services to develop and implement a Customs C3I systems acquisition plan.

We, GAO, have seen the minutes of several coordinating meetings that were held among officials representing Customs, the Coast Guard, the DEA—that is the Drug Enforcement Administration—the National Narcotics Border Interdiction System, the Federal Aviation Administration and the Department of Defense.

In addition, officials of the National Drug Enforcement Policy Board told us that they are monitoring the establishment of the C3I centers to ensure proper coordination roles and missions.

In summary, there remain decisions to be made on the C3I program. Customs is about to begin the construction of the buildings to house the C3I centers, but there are still a few matters that remain to be decided.

As you may know, events caught up with my prepared testimony. My prepared statement, says, "What will the command structure be at the Richmond Heights, Florida center considering Customs and Coast Guard will be at the facility?"

Well, as of yesterday afternoon, we were informed by Assistant Commissioner Rosenblatt of the Customs Service that Customs and the Coast Guard have agreed that Customs will command that facility until June 30, 1989, and that the Coast Guard will command this facility from July 1, 1989 until July 30, 1991 and the command will alternate every two years.

We have seen a copy of, if you will, a memorandum of understanding, signed by cognizant officials, but I can get to that later if you have questions.

Senator Nunn. We have a copy of that very short memorandum dated March 16, 1987. Is that correct, 1987?

Mr. Jones. That's correct.

Senator Nunn. First, two questions on that, if I can interrupt you. First, do you understand the memorandum; and second, does it make sense?

Mr. Jones. Let me answer them in turn. I am not the dumbest guy in the world, and it is difficult to understand some of the language. The assets that are "chopped out," I assume that means assigned. There is—I use the word—a weasle phrase, and I don't mean any disrespect to the persons who crafted it, but I should just not pretend to be omniscient. We just saw the agreement this morning. The phrase is "Each agency agrees to devote significant air and service assets to be commanded by the C3I center."

We know that the word significant means a lot or means nothing, and since I don't know what it means, my answer is no, I don't understand that. If you look at agreement number 2, "The C3I Center will have operational control of all assets chopped to the center including other Federal, State and local assets." If I interpret "chopped" as meaning assigned, it says the C3I center will have control over assets assigned by the agencies and the agencies will agree to assign significant amounts, and I imagine significant is going to be the subject of a great deal of negotiation and give and take.

I think we will have to taste it when it is served up. I hope I have answered both of your questions, Mr. Chairman.

I said I had three items in my prepared statement. I already talked about one.

Senator NUNN. Let me ask one other question. Does the rotation itself make sense?

Mr. JONES. I just don't feel competent at this point to answer that question. I will feel very competent by the time we issue the report to you in June you will get the answer to that question. Offhand, off the cuff, given that agencies have to cooperate and given that in the past we have had some difficulty in assuring cooperation and coordination, assuming good will, I don't know that it is a bad idea.

People have got to work together, and if you put Customs in charge, then you are telling the Coast Guard that it is second rate, yet among many missions, the Coast Guard has an interdiction responsibility under statute. The same goes if you were to tell Coast Guard that it was in charge. I just think that assuming good will, good faith and the continued oversight of the Congress, it can work, but we will answer it more definitively in June.

Senator NUNN. Thank you.

Mr. JONES. I just have a couple of more observations, Mr. Chairman, and that will end my testimony. The other decision that remains is, will there be a national C3I center in Oklahoma City? And last but not least, of course, what will be the real cost of the program?

Having wetted your appetite, Mr. Chairman, I am now going to say this ends my testimony. I now leave myself open to questions that I hope my colleagues and I can answer for you.

Senator NUNN. Thank you very much, Mr. Jones. First of all, does Customs have a sound justification for the development of the C3I center program?

Mr. JONES. Let me answer that this way: We have not been provided, to date, with documentation or any other evidence that is convincing, really convincing that the program is needed. That is not to say that such documentation doesn't exist; that is not to say such documentation will not come into existence. That is, however, only to say that to date, we have not been provided any that is convincing to us.

Senator NUNN. On any of these questions, if you have to refer them to any of your associates, you feel free. I will leave that up to you.

Mr. Jones. Thank you.

Senator Nunn. Has there been a cost-benefit analysis performed?

Mr. Jones. I can answer that very succintly: No.

Senator Nunn. If they have not done that, what are the benefits that are really being aimed towards here?

Mr. Jones. I think, given that they have responsibilities to interdict drugs, given that they have assets in the amount of roughly 90 aircraft, it makes sense that there has to be a plan for controlling the assets, communicating, and making use of intelligence to do a better job in interdicting drugs. They couldn't do a good job if they took the I factor out of C3I.

If you take the I factor out, you have got nothing but random patrol, and I think in the past, we have every indication that random patrol is not sufficient to stem the tide.

So the concept is good. They have to improve their ability to communicate, control, command and enhance the use of intelligence, particularly with increased resources that the Congress has given them with the Anti-Drug Abuse Act. The CSI will be $41 million. I think they need it.

Senator Nunn. They have got an operation down in Miami right now that is operating, as I understand it, a C3I center with the FAA. Does that approach seem to be working?

Mr. Jones. I will be very smart and deflect that to my colleague, Mr. Burow, to answer that, Mr. Chairman.

Mr. Burow. Customs Service does have a facility in Florida, and I think to answer your question, I should describe that a little bit. It is in the basement of the FAA facility. It is primarily aimed at air interdiction. There is another facility in Florida which is aimed at marine, which they refer to as the BLOC. The BLOC, which is the Blue Lightning Operations Center deals primarily with marine on the southeastern border.

Senator Nunn. What about Department of Defense here? The Department of Defense has been running C3I centers for a long time. Has Customs Service—Mr. Jones or Mr. Burow, Ms. Haskins or any of you would like to answer this—have they sought the expertise of the Department of Defense in planning their operations and their construction plans?

Mr. Burow. As you know, the Department of Defense has been heavily involved in C3I activities for its own purposes. The Customs Service, with its air force of 90 planes that we referred to before, its marine interdiction resources, identified the DOD as a place that it can go for help.

In 1984, they entered into an agreement to seek help from the Air Force. Out of that agreement came the MITRE studies referred to in our prepared statement. There were three of them done in 1985 that laid out a concept for the Customs Service to proceed with their C3I activities. Since that time they have had to deal specifically with trying to get more of the DOD resources that would be actively involved in the C3I centers themselves. I'm not talking to concepts here. We are talking about resources. We are talking about data. We are talking about things that will give them the opportunity to reach out further and see further into an area that doesn't belong to the United States. Customs is seeking such help from the military.

Senator NUNN. Would you describe the coordination between Customs and DOD as being satisfactory, adequate, inadequate, marginal? How would you describe it so far?

Mr. BUROW. Customs has looked for help. I don't think that the military was really willing to jump in there and take over all the responsibilities, so I think they have kind of thrown it back at Customs, "What is it that you want?" and the agencies have kind of gone back and forth.

I guess the bottom line is that they have been kind of a reluctant bride in this whole area.

Senator NUNN. Been a what?

Mr. BUROW. Been a reluctant bride in this whole area.

Senator NUNN. But you place more of the burden on DOD there than Customs?

Mr. BUROW. Customs is the one that has assumed the responsibility to come up with a C3I concept. They wanted one; they needed one for their air interdiction. It is up to them, I believe, to go out and find the resources that can help them get to where they want to be.

Senator NUNN. But you are saying, would an adequate coordination be too strong between DOD and Customs, then?

Mr. BUROW. I guess I would say that it has been adequate, yes, sir.

Senator NUNN. What about the coordination between the various agencies and these efforts, particularly C3I? Mr. Jones, Mr. Burow, who is supposed to coordinate this? We have got a multiplicity of agencies here. What mechanism is there in the Federal government for coordination, and how are they doing?

Mr. JONES. That is a broader question than just the C3I program.

Senator NUNN. I agree.

Mr. JONES. We are talking about the business of coordinating between and among the several agencies involved and the whole, if you will, war on drugs. Some of these agencies, as we all know, are single mission agencies. The DEA is one. Some of the agencies are multiple mission agencies. The FBI comes to mind; the Coast Guard is another; Custom Service is one.

The GAO is on record. We feel that there needs to be a strengthened centralized control. I hesitate to use that word drug czar, because it conjures up all sorts of non-meanings. We know that the current law, the Crime Control Act of 1984, established yet another Cabinet committee. This one is called the Drug Enforcement Policy Board. Yet again, the Attorney General chairs it; yet again, it requires cooperation; yet again, it doesn't have the authority to dictate to agencies, particularly those with multi-missions, and how they both should mesh within the multiplicity of missions in the drug control effort.

The Coast Guard has to go out and rescue people when a boat sinks, and I am not a Coast Guard expert, but what suffers? The FBI might decide tomorrow that domestic terrorism is the most important effort this country faces. We know where the agents assigned to drug abuse control will go. The DEA tends to be the single mission agency in the drug investigations area. You have got the Customs Service doing that.

Who is there, absent the President of the United States, to dictate, to demand, to force cooperation when you have competing goals between and among these agencies? It is a problem; it has been a problem since the mid-sixties, as you pointed out earlier. It was a problem when we had many drug police agencies running around, from the FBI cops to the FDA cops to the Treasury cops and everyone else.

Yes, there needs to be strong control. How it is going to be put into effect? I do not know.

Senator NUNN. Do you have any suggestions?

Mr. JONES. I will tell you that we have been asked to come up with some suggestions. We certainly are in the throes now of looking at the operation of the Drug Enforcement Policy Board. One of your colleagues, Chairman Biden, has asked us to help him in that direction, and we are looking at the effectiveness, if you will, of the Policy Board in light of some recommendations we made several years ago when we said stronger guidance was needed to control the war on drugs, and we still think it is a problem.

Senator NUNN. You say that the need for a national C3I facility is still an unresolved issue. Could you elaborate on this?

Mr. JONES. Well, as we know, the language in the report accompanying the Senate Appropriation Bill—and correct me when I stray from this—called for a national C3I center to be constructed in Oklahoma City. Customs is going ahead and doing it.

We have been advised by the Assistant to the Chairman of the Drug Enforcement Policy Board that a supplemental appropriations request, which asks for—and I am confused on the language of it. It almost seems to me like a deferral, but it really isn't. But the intent of the Administration's request was to delay activity on a national center, and I won't say on a national center located at any particular place, but on a national center.

I think the issue of whether or not there should be a national center is one that the GAO can't answer; I think the Congress spoke; the Committee report stands on its face. I mean, they said there will be one.

Senator NUNN. There is also language here in the law as opposed to the committee report. As of the two, the law has the higher authority, supposedly, that says, "The coordination of and establishment of such C31 centers shall be conducted by the Commissioner of Customs together with the Commondant of the Coast Guard, the Attorney General of the United States and the National Narcotics Border Interdiction System."

So it sets up a joint mechanism for that, and then also, the law says, further—this is an '87 authorization bill, that there be, "—the President shall address the requirement that maximum use be made of existing Department of Defense and Coast Guard command and control networks as well as other available military resources including equipment, intelligence, and training capabilities."

Now, there is nothing directly in conflict there, but it is apparent that there C31 centers were intended to be coordinated at the highest levels, and the question is whether that has been done or whether one agency has really moved out on its own.

Mr. JONES. I can address that, and then I think Mr. Burow wants to elaborate, but I can certainly say that we were told by the assistant to the Chairman, of the Drug Enforcement Policy Board, and the Chairman is the Attorney General of course, that they had one intention, and it is our understanding that Customs is going to go ahead with the development of a national center in Oklahoma City.

To me, that says that there isn't exactly an agreement, but, you know, that depends on the vantage point that you take.

Jim, do you want to elaborate?

Mr. BUROW. That is basically what I was going to say. I think that it is important to note, as we look back over the history of this, that coordination among the agencies involved in this definitely increased at the time that the Anti-Drug Abuse Act of 1986 was passed. I think up until that point, Customs was basically going after an air interdiction C3I activity; they felt as if they were basically in charge of air interdiction and were proceeding in that manner.

Senator NUNN. Are they clearly in charge of air interdiction? Is that clear, and if so, under what authority?

Mr. BUROW. I guess I would have to say it was a matter of default. When it comes to air interdiction responsibility, it is the Customs Service which, at this point in time, has built or has had assistance from Congress to build what they referred to as an Air Force, 90 planes, including P-3A aircrafts. They are about to get two E2C aircraft.

The Coast Guard is now entering into the arena or air interdiction with the introduction of two E2C aircrafts.

Senator NUNN. Senator Goldwater used to complain over and over again about the number; I think he said we had five Air Forces in the military. Basically, what you are, I think, describing is that we are about to see that same thing happen in the law enforcement area.

Mr. BUROW. I think that could happen; at least two, not five. [Laughter.]

Senator NUNN. It has a way of being contagious. Some folks out there haven't thought of it yet. They will.

What about the location of the C31 facility at Miami? Has that been justified by the Customs Service? Did you ask questions on that?

Mr. BUROW. I think we will let Grace speak to this, because she has been involved in this from the beginning, when we started our work in early January. I think we would be remiss if we didn't let her speak to it.

Ms. HASKINS. As for as the justification for the Miami facility is concerned, we have not seen any documentation that clearly lays out what the Miami facility will do and the impact it will have on drug interdiction. We haven't seen what would happen if the facility in Miami does work. The drug smugglers might use alternative routes. They might come in by land, or they might use containerized shipments, or they might use commercial airlines or they will use the marine or air facilities on the East and West Coasts.

So the bottom line is as far as justification for the facility in Miami, we have not seen a clear, written documentation of that nature.

Senator NUNN. Has there been any effort to look at whether to co-locate with the Air Force base there? I believe it is Tyndall Air Force Base.

Ms. HASKINS. Early on, I believe Customs did attempt to address that issue. I think Jim might be in a better position to answer that.

Mr. BUROW. When they originally designed this or when Customs originally got involved in this, they were interested in going to Tyndall Air Force Base.

In November of 1985, Customs decided that they wanted to include marine in this. That created a kind of a problem for them from the standpoint of what were they going to do with their Blue Lightning Operations Center in Miami and the strong working relationships that they had with state and locals as far as marine was concerned. Customs felt that there was a need to locate in Miami.

What Grace was talking about, which I would like to elaborate on a little, is the relationship or the decisionmaking process. Customs officials can give you a lot of answers, they can give you a lot of reasons why it would be better to go to Miami, but what we keep looking for and we don't see is how is that particular facility gong to impact on the drug smugglers?

OTA was mentioning the fact that we interdict 10 percent. If we are catching 10 percent of the airplanes that are coming into the United States that are carrying drugs, what are we going to increase that to with a C3I facility in Miami?

I think that is a question that cannot easily be answered. When we look at the documentation for the C3I center, whether it be in Miami or somewhere else, what is the increase going to be? What are we going to get from the money we are going to spend for those facilities?

Senator NUNN. Let's say you are looking at a radar scope, wherever it is located. You see an airplane circling over a spot or you spot an airplane that looks suspicious. What do you have to do then, independent of location, whoever is operating that radar?

Mr. BUROW. Obviously, that person has to communicate that sighting to the air branch. The air branch is located at Homestead Air Force Base in south Florida. Homestead Air Force Base branch will launch an interceptor that will go out and take a look at it.

Senator NUNN. But you have got to communicate by telephone or radio.

Mr. BUROW. At this point in time, they do have some radio communications, but they also use the telephone.

Senator NUNN. Is the location then, does the radar and C3I need to be located near the air assets?

Mr. BUROW. Even if they build the facility at Richmond Heights, they are still going to have to communicate launch instructions to the Homestead Air Force Base, which is even further south in Florida.

Senator NUNN. Who is in charge at Customs of the C3I? Have you got one person in charge there?

Mr. BUROW. There is a project manager for the program. Obviously, there is a chain of command starting with the Commissioner and going through the Office of the Assistant Commissioner for Enforcement. When we were looking at this particular project at your request, it became evident that there was not one particular location where we could get the answers to all of our questions.

When you started talking about the budgeting. Where is the money going to come from? How is it going to be spent? Where is it going? We had to deal with the budget office. That would be the logical place to deal with that question.

When we started talking about the contracting. How much would they contract for? What were we going to get out of these contracts? We were referred to the contracting people. Even within the Office of Enforcement, you have those in the enforcement support. Those were the people who were charged with coming up with the concept and moving this project forward. The project manager worked in this group.

Also, within the Office of Enforcement, you also have the enforcement people who actually go out and put the handcuffs on people. In this regard, you really have to deal with two different groups of people who have different agendas when you talk about that subject.

Senator NUNN. Could you describe how your investigation proceeded with Customs? What state of affairs did you find there? Did you find that it is being operated effectively? Are you—were you pleased with the responses? What is the general status?

Mr. BUROW. That is a hard question for me to answer. The Customs Service has to do a lot. I mean, the things that have been put on the Customs Service with all of its responsibilities; 400 provisions of laws, involving 40 agencies; it has a lot to do. I couldn't imagine that the Commissioner of Customs would spend a great deal of time dealing specifically with the C3I. Down the line, they have the people dealing with the C3I program.

Obviously, the big decisions would be moved up. To try to characterize the conditions in the Customs Service based on what we have seen in the C3I program, would be fairly difficult.

Senator NUNN. Have you got all the documents you need? Do you have the information you need at this time?

Mr. BUROW. I believe I have all the documents that are available. I guess my problem, when we try to deal with this type of evaluation—and I am going to let Grace talk about this too—is that it would be nice from an auditor's standpoint to go in and have an agency lay out a very clean-cut cost analysis saying it considered the C3I concept in this way: "We have a national C3I. We have two sectoral C3Is. Here is where they are going to be. Here is how much they are going to cost, and here is what we are going to get out of the centers."

What we see when we look at Customs documentation is briefing documents, some decision documents to move from Tyndall Air Force Base to Miami, move several places around Miami. First Customs wanted to be just outside Miami; then it thought it should be at Brichel Point because of the Coast Guard's involvement.

I am going to pass this over to Grace, because I think she has spent an awful lot of time dealing with this subject, as I mentioned before.

Ms. HASKINS. I think Jim covered most of the question. I would say that Customs has been cooperative, but there is a lack of documentation concerning the C3I, and this makes it very hard for us to audit, because there is not an audit trail, so there wouldn't be an audit trail for the people within Customs or those outside Customs to follow the development of the C3I program.

Senator **NUNN**. Thank you.

Mr. Rinzel.

Mr. **RINZEL**. Mr. Johnson, you were somewhat pessimistic about interdiction efforts having any effect on the drug trafficking at all. Would you agree that it is not necessary to intercept 100 percent of planes coming in in order to have a significant impact on at least that kind of drug smuggling? Wouldn't it be necessary only to intercept a high enough percentage to make it too costly for smugglers, particularly pilots, if they are going to be facing lengthy prison sentences?

I ask that question because we have been advised very recently that, in the south Florida area, in the last three to four months, there has been a significant drop-off in the number of planes, small planes coming in. There has been more than a 50 percent drop off. You project a 10 percent seizure rate in Florida. If that seizure rate is having that kind of effect, at least on that mode of transportation, can't we be a bit more optimistic about the effect of interdiction efforts?

Mr. **JOHNSON**. Yes. Yes. I agree with you there.

I think that our analysis shows that effects are felt in individual areas and under certain conditions. There have been some efforts to evaluate the effects of short-term blitz operations such as Hat Trick I and II, which certainly had an effect upon the traffic at the time.

And as you said, it appears, although these are rather inferential kinds of analyses, because we really don't have very much data to go on, but it does appear that the south Florida interdiction effort has had some effect upon reducing the traffic into there.

On the other hand, what that usually means or what that has meant in the past is that the smuggler switches to other modes, and in many cases, those are the modes of lower risk to the smuggler, therefore, there isn't much effort at the present time in that mode.

In the cocaine business, in particular, it appears that air traffic, private aircraft smuggling, may be going down at the same time that smuggling by commercial cargo, or by cargo containers in ports, is increasing.

So that is the long-term problem that I was addressing rather than the fact that yes, by increasing risks on one mode, you do seem to have an effect upon the smuggling at that mode and in that area.

Mr. **RINZEL**. Do you find any evidence that law enforcement entities that have responsibilities in this area are really taking a long-term approach? That is, have they beefed up air interdiction without anticipating what alternatives the smugglers are going to use? Now, I understand in south Florida, the smugglers are doing a lot more ocean drops from airplanes and in high-speed boats, picking the drugs up and bring them into the coast. That is much more difficult to stop under the present system. The smugglers may also be using more commercial containers, as was mentioned.

Mr. **JOHNSON**. Yes.

Mr. RINZEL. Is there any evidence that people are really looking ahead to those methods, at the effect a particular interdiction system would have if we implement the system, such as the air interdiction efforts throughout the southeastern United States? What effect is it going to have and where we are going to have to devote resources next?

Mr. JOHNSON. Certainly, there is some effort to do that. The so called "Operational Alliance" that Customs and DEA have mounted on the southwest land border is, in effect, an attempt to look at that area as perhaps a growing problem.

But on the other hand, long-term planning is something that we felt was lacking, and due to the fact that you have these agencies with their individual responsibilities and no very active leadership in long-range planning, that creates some of the problems that we are seeing. The Coast Guard measures their success sometimes by the fact that they have reduced private vessel traffic, but the overall effect may be that that same traffic is going elsewhere. It is going over land or by other means.

Mr. RINZEL. Thank you, Mr. Chairman.

Senator NUNN. We get back to that old measure of the street price of drugs, which is your best indicator, I think; it is the relationship of supply and demand.

Mr. Jones, you wanted to say something?

Mr. JONES. I just wanted to embellish some on what I heard. Yow see, the issue still gets back to: One you want to increase the risk. To what end? If the ultimate effect is to increase risk of smuggling drugs, let's say, through Florida and this is not reflected somewhere on the street in terms of supply and ultimately in terms of price and purity which is one measure or the number of new entrants into the abuse field, is increased risk a good measure?

The problem that I think we still have, and the Chairman pointed it out, I think, very succintly in the introduction, there is a finite pool of money, and there are insufficient studies, in my judgment to find the best solution to the problem. We have not been able to do it, and we have certainly thought about doing it, to assist the Congress.

When it says we have a fixed parcel of money, what is the appropriate interaction of education funds, enforcement funds, health funds, to allow us to make appropriate trade-offs? Is an additional $10 millions of dollars shifted from an interdiction program to an education program going to achieve some ultimate effect, if we could agree on what effectiveness of programs should mean, that is, if we, for example, reduce the number of kids who are abusing drugs?

These are some very fundamental questions, I think, that transcend, again, the bases of the Coast Guard with its missions, the Customs Service with its missions, the DEA with its missions, the FBI with its missions. Who is in charge?

The Chairman of the Drug Enforcement Policy Board is supposed to be doing that. That board is supposed to be making the budget studies and supporting those budget trade-offs. It is not being done. We are not doing it.

I think these questions have to be answered to allow us to have a better sense that the monies that are being spent, and it is a lot, are getting the biggest bang for the buck as well as if we increase the risk in south Florida, whether they run around to Georgia or come up to Maryland. There are drugs on the streets.

Senator NUNN. The other question you have to ask, and you have to be very careful about how you phrase this, but we have done it in Turkey and some other places, is that if you took the money you are putting into interdiction and actually went into a country where they are growing drugs and worked with the governments to get those people out of the drug business through some kind of crop diversion or some other form, what the trade-off would be.

It is a lot easier to vote up here for drug interdiction money than it is for foreign aid. You might have to call it something else, but if you can get it at the source, it seems to me there are two sources: One is where it is grown; the other is where it is consumed. That means going to the countries where it is grown in some form of coordinated program with that government. You have got to stop it there.

As soon as it gets out of that country, stopping it is just very, very difficult, and you have got to stop it where it is consumed, and it seems to me that is education.

I don't know, but we seem to have failed on both those accounts. I want to commend our law enforcement officials for an awful lot they do. They have an impossible problem. The expectations of both the Congress and the American people compared to what is possible, even when they are doing everything right, seems to me is a vast gap there.

There is a vast gap between what we expect and what we are going to be able to achieve if we do everything right, and that is what Mr. Johnson mentioned. If we properly did everything right in the air interdiction arena, we probably might get up to somewhere where we are in the south Florida area, or we might get up even to 20 percent. But that means the headlines would still read, "80 percent of the aircraft coming in with drugs are getting through," and that is not something well received anywhere.

So it is a very difficult problem. I am reminded of the old saying that: "For every complex, complicated problem there is an answer that is simple, easy and wrong." [Laughter.]

Senator NUNN. I think that is where we are in this drug business. Thank you all for being here. I appreciate it. You were very helpful, and we will stay in touch with you and hope you will submit further for the record and stay in touch with us as you develop the information.

Mr. JONES. We will, Mr. Chairman.

Mr. JOHNSON. Thank you, Mr. Chairman.

Senator NUNN. Thank you.

Our next witness is Captain Frank Ault, U.S. Navy, Retired. He was a former consultant for the U.S. Customs Service, among other things. Captain Ault, we are delighted to have you here. We know you have a lot of background and expertise in this particular area we are going into this morning.

We swear all our witnesses in, Captain Ault, on this Subcommittee.

Do you swear the testimony you are about to give to this Subcommittee is the truth, the whole truth and nothing but the truth, so help you God?

Captain AULT. I do.

Senator NUNN. Thank you.

TESTIMONY OF CAPTAIN FRANK W. AULT, USN (RET.), FORMER CONSULTANT, U.S. CUSTOMS SERVICE

Senator NUNN. I am delighted to have you, and we appreciate your cooperation, and we look forward to your statement.

Captain AULT. Mr. Chairman, I do have a formal statement which I ask be placed in the record,[1] and I will summarize the high points of that for you.

Senator NUNN. Without objection, it will be admitted to the record in total.

Captain AULT. I deeply appreciate the opportunity to come before your Committee, Senator. Actually, it has been a Walter Mitty fantasy of mine for some time that I would be sitting here talking to our elected representatives telling them what I think, for a change. [Laughter.]

Senator NUNN. I better get some support up here. [Laughter.]

I am not sure I can handle you alone. [Laughter.]

Captain AULT. I want to focus on those provisions of the Anti-Drug Abuse Act having to do with the tactical interdiction of illegal drugs at the nation's borders. I am afraid that when I do so, I am going to spread the flak around a bit.

Senator NUNN. We want to hear from you. I would encourage you not to exempt the Congress, and I am sure you won't. [Laughter.]

Captain AULT. Well, first, a brief recitation of my credentials for people who may not know who I am. I am a career naval officer and naval aviator. I was in the Navy for 31 years before I decided not to make a career out of it. Subsequently, I have served as chief executive officer of four public corporations. I had profit-and-loss responsibilities in all those jobs. The pinnacle of my naval career was the command of an aircraft carrier. It is an awesome feeling to sit there on a $2½ billion chunk for the taxpayers' investment knowing that it is all yours, but it is a very rewarding kind of assignment.

Senator NUNN. Don't you also develop the program known as "Top Gun" in the Navy?

Captain AULT. Yes, sir. I will get to that in a minute. That is one of my drums in the back row, Senator. [Laughter.]

I have had extensive experience with real-world, hands-on command and control, particularly the Navy tactical data system, and I know a lot about the present NORAD system. About half of my career, perhaps a third, was spent in Washington, involved in weapons research, development and acquisition, so I understand that end of the business.

It is not immodest to say that I have a national, if not an international, reputation in air interdiction. As you mentioned, in mid-

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[1] See p. 198.

1968, I was tasked by the Navy to find out why our fighter planes weren't doing better in Vietnam. The result was a study called "The Ault Report," which is generally credited with raising the combat kill ratio from about two and a half to one to over 12 and a half to one.

One of the products of that report was the Navy Fighter Weapons School, featured in the popular movie "Top Gun." I think Admiral Moorer summarized that film very well. He said "It was the best photography of carrier aviation we have ever had, and there were no distractions caused by the plot." [Laughter.]

I have had a close association with the tactical interdiction programs of the Customs Service for over six years: first, as the Manager of Customs Programs Support for, in the vernacular, a "beltway bandit" involved in technical and engineering support of Customs prorams; then, in 1983, as a member of the blue ribbon panel called the "Siler Committee" which was tasked by Customs to do an in-depth assessment of their air program; and finally, for two years, commencing in September of 1984, as Special Consultant for Tactical Air Interdiction to the Commissioner of Customs.

[The Siler Committee report was marked Exhibit No. 3 and may be found in the files of the Subcommittee.]

Captain AULT. I am mostly conversant with most of the hearings that have been held on the Hill on drug interdiction in the last four or five years. I have been constantly dismayed, as I have been at times this morning, by the "all is well and getting better" aura which generally pervades these hearings. In my opinion, what is going on in the border is mostly the appearance of effective activity fostered by extensive media exaggeration of minor successes. I will give you an example. Here, a couple of months ago, we had a marijuana bust at Leesburg Airport. The product was 600 pounds of marijuana, which is not even a ripple in the marijuana mill pond, and yet the public, through the media, got a feeling, I think, that we were doing better than we actually were.

On the other hand, there is no gain saying that you need that kind of thing in order to maintain a public awareness of what is going on. I think the Commissioner of Customs recognizes that better than anybody in the room. People who advertize in Aviation Week don't advertize the F/A-18 because they are trying to sell it; they are trying to get public acceptance of decisions that have already been made. I think publicizing this stuff is a very good idea.

Unfortunately, our measurements of how good we are or how well we are doing can also be used by the guy who is doing the smuggling.

If you look at the drug business, you will find if we miss a kilo of cocaine at the border it goes into our socio-economic structure and just disappears. Therefore, it is hard to hold accountable the people who are doing the job and measure how well they are doing out there on a day-to-day basis. We have to find another measure of effectiveness besides amounts confiscated. I have a few ideas on that.

It is my opinion that if a kilo of cocaine were, instead, a small bomb and we had bomb craters all over this counry, there would be a loud public outcry for a better drug program, but it isn't happening that way. It is an insidious thing. All we can do is count the number of people that show up for rehabilitation, the overdoses and the other things.

I believe that the Congress, in its best efforts to produce a drug bill last Fall, either overlooked or was misinformed on the capabilities and readiness of the principal claimant to the benefits of that legislation—and I mean the Customs Service—to spend, well and wisely, the very impressive sums provided for tactical interdiction.

Quite simply, it appears, as you mentioned earlier, that the Customs tactical interdiction proponents tried to cover the soft spots by throwing money at them. Let me state that if I walked into this hearing room, or any other hearing room, and suggested to you that the budget of any Federal agency be doubled in a single year, and if I further suggested that one element of my budget should be multiplied by ten, you would, figuratively, ride me out of the conference room on rail. Yet, that is what Customs and its Congressional supporters were able to achieve last Fall. That's where we are.

I know that the Congress is awaiting the comprehensive drug program required from the President, by the Nunn amendment to the 1987 Defense Authorization bill. However, unless the Congress can somehow send to the Executive Branch, here and now, a clear message that the door is open for some clear and enlightened thinking, you are going to get more of the same type of parochial thinking that has inhibited progress at the border to date and bids fair to stultify it in the future.

I refer here to policy positions which have already been reached or soon will be reached. I just heard of one of them this morning which has to do with the mission responsibilities between the Coast Guard and Customs others are the acquisition and allocation of surveillance aircraft and the whole broad area of command, control, communications and intelligence.

I think too little thought has been given to the implications of the long-term investments in hardware and personnel which have been instigated by the anti-drug legislation. Are the 100th Congress, the 101st, the 102nd and all the Administrations hereafter ready to support the level of activity which we have set in motion here? Finally, little, if any, thought was given to the national security enhancements which are potentially realizeable as a fringe benefit of the drug interdiction effort.

The execution of the tactical interdiction program is being seriously affected by what columnist Edward Luttwak in the March 8 Washington Post called the "non-operational administrative mentality of the Washington bureaucracy." Simply stated, there is no full-time, real-time "battle management" of the drug interdiction activity at the borders. We do lots of planning, prioritizing, allocating, strategizing, coordinating, collating, collecting, advising and requesting; but we do very little commanding, controlling, directing, ordering and requiring. The analogy I would like to draw is that if in World War II, President Roosevelt and his military staff advisors had sent George Patton a bunch of tanks and some ammunition and gasoline and sent Omar Bradley some troops and artillery and General Montgomery some lend-lease and said, "Gentlemen, go fight World War II"—and hadn't sent General Eisenhower—we would have had a most difficult time winning that war. But that is exactly what we are doing in the drug war.

Senator NUNN. Captain, are you saying nobody is in charge overall? Is that what you are saying?

Captain AULT. I am saying nobody is exercising tactical command and fighting the battle out at the front. Yes, somebody is in overall charge. We are getting the troops all ready, and we are aiming them, but we are not getting out there and conducting that battle on a minute-by-minute, day-by-day basis. It has got to be fought out there. I am not just a guy who waves his arms. I will tell you how to do that later.

Senator NUNN. We are going to get to the solution, then?

Captain AULT. Yes, sir.

Finally, the process by which the tactical interdiction program has evolved during the decade of the eighties has resulted in the intrusion, by the Legislative Branch, into the requirements and program management arenas which are, more properly, the provinces of the Executive Branch.

We have agreed, I think, this morning, that our problems with drugs are possibly, even predominantly, those of demand. This was corroborated by the President's Commission on Organized Crime in their report about this time last year, in which they stated clearly that the demand for drugs is the overwhelming problem. Supply is certainly also part of the problem and that is where we are working when we talk about tactical interdiction.

Clearly, the Congress highlighted tactical interdiction in the legislative process of late 1986. This is certainly indicated by the generous amounts which were set aside for this activity. Until that time, if you go back and look at the record, you will find that Treasury and the OMB had been extremely stating in their support of Customs request for the wherewithal for air and marine operations. In fact, tactical interdiction has been sustained throughout the decade of the eighties more by Congressional markup of the Customs budget than by advocacy by the Executive Branch.

Little wonder, then, that Commissioner von Raab told me during my exit conference last fall, "The trouble with you, Ault, is you are A-political. You have been over here trying to improve performance. The name of the game is not performance; it is politics."

This prompted me to write an article which appeared in the January 1987 Armed Forces Journal entitled "Performance for Politics?" I have included it along with my statement for the record.

[The article referred to was marked Exhibit No. 4 and may be found on p. 438.]

[At this point, Senator Chiles entered the hearing room.]

Captain AULT. I note that Secretary Baker has become an advocate of the tactical interdiction program since, I don't know, sometime during the past year. I am checking to see whether Secretary Baker knew my maternal grandmother who always advised me, "Son, while the gravy is dripping, keep your kisser under the faucet." [Laughter.]

Tactical interdiction advocates, even if we believe it needs to be done, are riding the wrong horse. Shortly before I terminated my consulting agreement with Customs, I was asked by the Deputy Commissioner to give him a summary of my views based on my long association of the program. That summary is included as an annex to my statement. I will merely say that in that summary I cited eleven problem areas of sustained concern which I had worked diligently to correct and which were still not being corrected.

[The summary referred to was marked Exhibit No. 5 and may be found on p. 440.]

Captain AULT. Senator, you can only hit a mule between the eyes so many times before your arms get tired or you break your two-by-four. All this boiled down to my considered recommendation that Customs should take such initiatives as were necessary to transfer all, or the bulk of, the tactical interdiction mission to the Coast Guard. I elaborated on this in an article which was in the November 1986 Armed Forces Journal which is entitled, "Closing the Border to Drugs: Customs or Coast Guard Mission?" I have put that in the record, also.

[The article referred to was marked Exhibit No. 6 and may be found on p. 456.]

Captain AULT. Let me emphasize, Senator. I am not saying that Customs people are bad people. I am merely saying they are miscast in the role of trying to act like military guys out there on the border. The techniques and technology of interdiction have evolved from military operations. Customs is trying to adapt these to their mission. They have done the best job they can from a poor starting point.

They do an excellent job in areas of traditional expertise, but they are just poorly postured for an expanded role in tactical interdiction from almost every aspect, ranging from infrastructure to force structure. They are really still at the starting gates over there.

Customs aviation is now about where we were in Naval Aviation at the end of World War II, and I am being a little generous. Their problems are organizational as well as institutional and attitudinal.

I am not surprised that many members of the Congress are pressing for more military involvement at the border. They know, as well as I do, that this stuff has all come out of the military. Customs people are trying to learn how to adopt to military equipment and military techniques. It is my contention that the tactical interdiction mission would be best performed by military people against a law enforcement backdrop, rather than by law enforcement people trying to act like military people.

However, the indications are that the Department of Defense participation in drug interdiction is not going to be substantially more than they are now doing. I doubt that you will ever have a soldier, sailor, or marine arresting a private citizen or smuggler. The Coast Guard, on the other hand, enjoys a unique status, as a uniformed, military organization with a law enforcement mission; however, there may have to be some enabling legislation to permit them to perform certain aspects of the tactical interdiction job.

Let me cut through a bunch of chaff here and give you a short, terse summation of what I am saying. We need more military involvement at the border, and the Coast Guard is the logical organization to provide it. We don't need yet another Air and Marine

Force, particularly one with peace-time only mission. We don't need yet another NORAD, this one only partially integrated with what is out there already.

We already have a big national air defense system that is controlled by the North American Air Defense Command (NORAD), operated by the Air Force. What we are looking at is the possibility that the Customs C3I organization may, at best, be only partially integrated with it and, at worst, might be totally independent of it.

I find it very interesting that the anti-drug legislation requires that Customs must coordinate its C3I program with the NNBIS, the Justice Department, and the Coast Guard. Inexplicably, they are not required to coordinate their C3I program with the Air Force, despite the fact that the Department of Defense owns what is out there for national air defense at the present time.

Senator NUNN. That is not in the section of the law. There is another section of the law which I read a little while ago which puts the clear burden on the President. This is the law, "—to come up with a requirement that maximum use be made to come up with existing use of Department of Defense and Coast Guard command networks as well as other military resources including equipment, intelligence, and training capability."

Captain AULT. But you had to add that after the anti-drug legislation was on the street, sir. My question is, why couldn't we have put it up front?

Senator NUNN. I think it should have been; it should have been. I think your suggestion is correct, but it is law. It was law as of last Fall.

Captain AULT. Now, you know, Senator, that there is also, out there now a rapidly evolving concept involving Maritime Defense Zones (MARDEZ), which represent an interface between Coast Guard and the Navy. Moreover, there are MARDEZ-commanders out there, who are Vice Admirals in the Coast Guard, sitting in the maritime environment completely around the United States, out into Hawaii, clear out to Midway and up into Alaska.

I said I was going to answer my own question as to how you get tactical command at the border. The answer is that it is right there: in the Maritime Defense Zones.

These MARDEZ commanders who have these jobs for other reasons at the present time could, in my judgment, function in peacetime as the military commanders, the unified and joint commanders, of the drug interdiction effort out there at the border. They are in place. You are merely exercising a system in peacetime which could then flow smoothly into wartime operations. The Commandant of Coast Guard may want to elaborate on that.

Senator NUNN. Who would be in charge of that, and how would it correlate with the law enforcement people?

Captain AULT. I would look at that organization to work as the operational arm of the National Drug Policy Board at the present time: in other words, the way the unified and joint command system has worked for Secretary Weinberger and the Department of Defense.

We have to noodle around a lot of the details in order to do this, but the important thing is that you would be putting somebody out there in uniform who knows how to fight wars, whose job is fighting battles.

Senator NUNN. You are saying the network already exists now?

Captain AULT. Yes, sir. And you are going to spend a lot of money for it, anyway. So we might as well exercise it in peacetime and make it do this job.

Senator NUNN. Doesn't it have to be augmented?

Captain AULT. No, sir, not particularly. You are going to have to put the air element in it, because it is now maritime oriented. What we would have to do is to give each of the MARDEZ commanders an air deputy. Those air deputies would operate out of command centers which, in my judgment, should, first, be co-located with the existing NORAD command centers at Tyndall and at March Air Force Base and perhaps later up at Griffiths and at the other NORAD site in the United States.

Navy people probably appreciate how to do that better than most people. As an example, during the time the North Koreans were dragging the Pueblo into Wonsan harbor, I sat in a carrier task forces flag ship, the *Enterprise,* and I had an antisubmarine task group attached to my force. I never saw the Admiral in the aircraft carrier providing ASW support to his group. He sent his dunkers and his fixed-wing aircraft for my direct support every day. He and I talked. I knew I could order up what I wanted. If I got a submarine contact, I got prompt help from him. The key to success was being able to pick up the phone and call.

I have a couple of other things on my agenda, and then we can get to your questions, sir. Changing gears here, in my judgment, the American taxpayer should not be required to pay the bill for putting yet another candidate into the world marketplace for airborne early warning aircraft. Here I am referring, specifically, to the P-3 (Orion) conversion to accept the APS-138 radar, which is common to the E2C.

Here again, it is apparent to me that hardware is driving the requirement, not vice versa. I am schooled in the traditional techniques of acquisition where we started with the requirement and finally came out the far end with a specification and then the hardware. We never put a piece of hardware on the street as the first order of business and then fooled with it to see what we could do with it. But it appears that this is where we may be now.

I would point out, also, that the Department of Defense is objecting to the P-3 conversion on the basis of cost, supportability, wartime utility and maybe even legality. I have seen an interoffice memorandum suggesting that the DOD does object.

Equally bothersome, so far as I am concerned, is the legislative provision to give the Coast Guard a couple of APS-138 equipped C-130s. In the first place, I don't think $45 million is nearly enough to do that job. I think the real experts in industry will tell you it is not nearly enough. Second, I know that the Coast Guard has looked at the technical feasibility and potential operational utility of that aircraft. They have never stated a firm requirement for it, nor have they ever formally requested it.

Finally, we have E2C's in the hands of law enforcement people now: the Coast Guard and Customs Service. It seems to me that it is prudent to wait at least until we find out how well those machines which we have out there, which have this radar in them, work before we embark on a program to throw a couple more candidates onto the street.

Finally, as mentioned by the OTA people this morning, we need a better technological development program. It is another thing that the National Drug Policy Board should be working on. This should be departmentally staffed in order to plan and execute this program in an expedited fashion. Here, again, we have often seen political expediency override the operational requirements.

A good example is the over-the-horizon radar, which is sort of languishing in the wings. It is coming. We are going to have it out there. We had better find out, early on, whether it is suitable for a drug interdiction role. We should not be deterred in our investigations of that within the Executive Branch of the government by Congressional advocates of the P-3 and C-130 who don't want the picture fuzzed up.

Senator CHILES. Captain, that line of reasoning is not entirely fair. I just have to take a little issue with you. You are sort of saying the Congress is going out and randomly doing these things. Yes, Congress is doing some of those, and we are now, today, trying to find out how we can coordinate those. But why?

If you really ask the reason for this, why we have this hardware driving it, it is because the military would not do anything in drug interdiction. We have this because the military did not see that as their mission. "Don't put this mission on us. We don't see ourselves—we are fighting wars. We don't see druggies as somebody that we ought to be fighting," and if you go back and look from the early times in which we have tried to lead the military dragging and kicking into the fight on drugs. Congress went forward saying, if we are not going to get the kind of cooperation out of the military, let's put the hardware somewhere else.

We probably have made mistakes in where we are putting it, the hardware, but it would not have happened at the time if we had some kind of real cooperation from the military, like, "We can coordinate this and make these training missions. We can work this in. We can share our intelligence. We can share equipment and things that we have."

But from the earliest time when the Senator from Georgia and myself and others started leading the fight and amending the statute of posse comitatus, it has been dragging and kicking all the way. It appears that now, we are seeing some movement and thank goodness, if we are.

But that was the driving force of a lot of this, and not just somebody up here saying, "Well, we want to start these fourth branches and these fifth branches." We were determined to do something, we were so frustrated. The druggies are coming in. There is nothing being done to interdict them. How do we try to do something? And so that was the driving force.

Captain AULT. I agree with you, Senator. Perhaps I didn't pause and say loudly enough, the Congress deserves full credit for sustaining this program during the decade of the eighties to date. If it weren't for the Congress, there wouldn't be any program.

Senator CHILES. It is just like a vacuum. You are going to find some sort of solution, some way to fill that vacuum. There was a vacuum, and we couldn't get any help here. We started doing some things like throwing some hardware out here and trying to see whether it is Customs or Coast Guard or what should be done. Anybody that would take it up and try to do something with it, we were trying to fund.

Captain AULT. Again, I agree with your analogy about the vacuum. Maybe you overfilled the pressure chamber in a couple of places, however.

Senator CHILES. We may have.

Captain AULT. That is what I am afraid of.

Well, clearly, we have to decide what is the proper relative weight of tactical interdiction in all of the anti-drugs things we must do out there. Senator, as you pointed out, that is an imponderable; it is a tough one, but we have still have to have a go at it.

I think we are never going to get an impenetrable barrier around the country, so we might as well stop talking about it. A possible worst case is we will do no better than we have been doing in the past. A more probable case is we will do a little better, but not much better. So if the Congress wants more military involvement, if you want the fringe benefits to national security that can accrue from the drug interdiction program and if you want the best sustained bang for the taxpayers' buck, I think the Coast Guard, more exploitation of Coast Guard's capabilities, gives us all that.

If we are going to be out there for the long term, and you want to be out there 24 hours a day, then we might as well pay for people that are out there already and have to be there from now on. In the casual conduct of its daily business, the Coast Guard is going to be out there for air/sea rescues, fisheries management, getting ready for their anti-submarines warfare et cetera, et cetera. They are going to be operating 24 hours a day in a great number of places that Customs isn't going to be at for years, yet. So let's get on with the business of giving this mission to the proper organization and let them get on with the job.

Mr. Chairman, I think your committee should be keenly interested in how that tax dollar of ours can do double duty. More than that, you must insist that we get our leadership and management house, particularly our battle management house, squared away. That is the end of my remarks.

Senator NUNN. Thank you very much, Captain. I have a few questions, and then I will defer to Senator Chiles.

What was your task when you were a consultant to Customs?

Captain AULT. My job, in the first place, Senator, emanated from the Siler Report which said the Commissioner should have, at his right-hand, somebody who, first, kept the snow jobs shoveled out of his office so that he had a third party voice, which was telling him from an objective standpoint what was going on; that he had somebody that could help him with the planning and programming and management functions which were required; and, to the extent practicable and politically acceptable, work outside the Customs Service to keep everybody together and headed in the same direction that Customs was moving.

One of my principal worries during the time that I was there was trying to get together a credible five-year plan. Here, again, I often got accused of having a military mind and, believe me, I do. I never understood how you operate if you don't have a plan. I don't mean a piece of paper that just lies around, but one which works for you. I mean a piece of paper that, in Customs case, had been approved by the Secretary of the Treasury; had been cleared with the Office of Management and Budget and on up into the White House and was something that we were actually going to do. We never got there, for various reasons.

Senator NUNN. Why didn't you continue the Customs work? Were you fired, or did you terminate?

Captain AULT. No, sir, I wasn't fired. About this time last year, it became apparent to me that I had done about all I could do to get my ideas on the floor. I had offered them. Some were accepted; many were not. You win a few and you lose more, and you realize you are losing your effectiveness.

Senator NUNN. In your exit memorandum to the Commissioner of Customs, you are highly critical of the interdiction program. Had you raised these criticisms prior to leaving?

Captain AULT. Yes, sir. Before I left, I left a letter which had as enclosures all the paperwork I had done during the last year I was there. If you examine that file, you will find that I was entirely consistent. Everything I have said here today I probably have said three dozen times before.

Senator NUNN. The Coast Guard is not trained now for air interdiction and is not equipped for air interdiction. I guess all of us would agree with that. So then the question is, then, raised: Why do you believe they could do a better job in this program? Why would they be more ready to, and be more susceptible to doing it quicker and cheaper and more effective than, let's say the Customs Service?

Captain AULT. First, Senator, you have to accept my basic premise that we are all at the starting gate right now as far as this mission is concerned. The Customs Service, has been in it but they still have a very small air force. It is seriously undermanned at the present time. Let's take a long-term look and see where we are going to be five years from now.

I recommend building on the Coast Guard infrastructure now, since these people, I say with pride, are trained as aviators by the United States Navy. Coast Guard people are easier trained and easier readied.

Now, this doesn't happen instantly; it doesn't happen as soon as I walk out of the hearing room with the Coast Guard in possession of the mission. It will take time. We have to get started now, however. We need to get started in that direction, and Coast Guard people are better ready to train and to build.

Senator NUNN. Customs has said basically that they currently have over 90 aircraft committee to aid interdiction and the Coast Guard has only two. That is the E2Cs that are authorized in the Drug Bill. Do you agree with that?

Captain AULT. No, sir. In my judgment, an aircraft for air interdiction is not so qualified until it is completely sensor-equipped. By sensors, I mean radar and forward-looking infrared equipment, and, in other cases, night vision equipment.

I think Customs has about 26 or 28 aircraft at the present time which are so qualified. By the same token, Coast Guard has 214 aircraft, if you say sensor equipment is not a requirement. But "sensor equipment" are the key words here. I will further state that in my judgment, because they are trained Naval aviators, the Coast Guard could, in a very short time, take over the whole Customs aircraft inventory, if they had to, and be operating successfully.

Short of that, the way I used to work these problems as a military/Naval guy, was take another unit's forces, have them assigned to me for operational control and keep them until such time as I had enough organic forces to fill the vacuum that I would need to fill if they left.

Senator NUNN. What is the main reason that you believe this mission ought to be primarily Coast Guard rather than Customs? Is it to integrate the military into wartime if we needed it?

Captain AULT. Yes, sir. It is a long-term appreciation of the problem, which says, we have to be at the borders for drug interdiction on a 24-hour basis from now on, and we might as well, while we are going to spend dollars to put somebody out there, spend those dollars on people who can use those same dollars for wartime readiness should the situation require.

Senator NUNN. Both the Customs Service and the Coast Guard were given two E2C's by the 1986 Drug Bill. Do you know what has happened to those assets?

Captain AULT. Well, so far as I know, the Customs program is still in a training stage. Coast Guard has gone to work with their E2C's down in the Caribbean, and at last count, I think they had had a couple of busts with them.

Senator NUNN. How have they been able to do that quicker, if your information is correct?

Captain AULT. I am back again full circle to those wings of gold, Senator. I think the Coast Guard is familiar with the engines in this type of aircraft. They are familiar with "NATOPS", as the Navy calls their standard operating procedures. It is fairly easy for them to assimilate this aircraft into their inventory and into their daily operations.

Senator NUNN. What do you think of what we have been told as quoting the words "evolutionary acquisition" technique which Customs is utilizing in procuring the C3I centers and other interdiction actions? How do you define that, and what do you think of that strategy?

Captain AULT. Senator, at the risk of appearing entirely irreverent, I would like to say that evolutionary acquisition is what you do when you don't know what to do. I grew up in an environment where you started with the requirement. You laid the requirement down, and then evolved all the way up to performance and procurement specifications.

In this case, the evolutionary acquisition process will be that the contractor is going to, first, tell Customs what it is supposed to do—and we hope Customs has the technical acumen necessary to recognize what they want when they see it—and secondly, industry will go ahead and bring that system into being. That will require a degree of management expertise which I don't think exists in the Customs Service at the present time, in all candor, sir.

Senator NUNN. Thank you, Captain. We appreciate you being here.

Senator Chiles, I turn it over to you.

Senator CHILES. Mr. Chairman, I have no further questions here. I would like to just make a short statement, if I could, and put my full statement in the record. We are still in mark-up in the Budget Committee.

Senator NUNN. Go ahead.

OPENING STATEMENT OF SENATOR CHILES

Senator CHILES. I wanted to compliment you for holding this hearing. Your contributions to the Anti-Drug Abuse Act last year and in the Department of Defense Authorization Act might well end up as one of the most influencing provisions on our nation's drug policy. Your wisdom about our defense policies and resources supplemented by your knowledge of drug interdiction places you on a well-founded platform to guide this investigation.

I sit here today with sort of a sense of deju vu and frustration. Since 1973, I have been witness to and participated in discussions about the need to coordinate our drug resources. In the early seventies, it was a debate over whether the Customs Service or the Bureau of Narcotics and Dangerous Drugs should lead.

In the President's message to Congress in 1973, he said that drug enforcement could benefit significantly from consolidation of our anti drug forces under a single unified command. This resulted in the creation of the Drug Enforcement Administration.

In 1974, we recognized and discussed the need to centralize and coordinate intelligence on drug smuggling. That created the multiagency drug center at El Paso. In the late seventies, the need to coordinate military resources led us to trying to amend the statute of posse comitatus Senator Nunn and I worked on for a number of years.

During the early eighties, I introduced, with Joe Biden and others, the first of our bills to create a Cabinet level official to coordinate and enforce drug policy. From that came a compromise: The Drug Enforcement Policy Board. This board's influence is still questioned, and this week, along with a number of other Senators, we are reintroducing the "drug czar" legislation.

The Administration has not endorsed that legislation, but they did acknowledge the need to coordinate U.S. drug interdiction in 1983 by formalizing the Vice President's Task Force on Drugs into the National Narcotics Border Interdiction Program.

I dare say that GAO, and I know they have already testified today, but they could read from their report of 1983, which clearly documented and recommended the need for coordinating drug programs or directives. They are well familiar with that need.

So this long litany brings us to today where we discuss the development of command, control, communications and intelligence centers, the C3Is, those centers are founded on the premise that we are still in grave need of coordinating all U.S. dollars and resources for drug interdiction.

The longstanding need is even more crucial today. The Anti-Drug Act of 1986 doubles the U.S. support by providing $300 million for the Department of Defense to use in supporting hardware and by the Congress substantially increasing its support for the Drug Enforcement Administration, Customs Service and Coast Guard.

Yet amidst all of this, there is this crying out for coordination. I find myself wondering if we had devoted the energies spent on turf battles over the last ten years towards the druggers, we might have reversed the course of the battle by now.

I continue to raise the point, the fact that we haven't been able to, and maybe we are just beginning to get the attention of DOD and the military to come in and fulfill the kind of role that they could serve in this effort.

I certainly want to continue to support the necessary resources, but Mr. Chairman, I agree with you. We have got to coordinate it. We have got to force an agreement on the C3I; what it can do, what it should do. Who should do it, and those are the questions I know that you are trying to get at in your hearing today.

I compliment you on that. I think that we have got to drive those decisions to happen.

[The prepared statement of Senator Chiles follows:]

PREPARED STATEMENT OF SENATOR CHILES

I want to commend Chairman Nunn for having this series of hearings on Federal drug interdiction capabilities and coordination.

Senator Nunn has significantly assisted over the years in the overall drug efforts of this country. His contributions to the Anti-Drug Abuse Act last year and the Department of Defense Authorization Act might well end-up as one of the more influencing provisions on our nation's drug policy. His keen wisdom about our defense policies and resources supplemented by his knowledge of drug interdiction places him on a well-founded platform to guide his investigation.

I sit here today with a great sense of deju vu—and frustration.

Since 1973, I have been witness to and participated in discussions about the need to coordinate our drug resources.

In the early 1970s, it was debate over whether the Customs Service or the Bureau of Narcotics and Dangerous Drugs should lead. In the President's message to Congress in 1973 he stated that "drug enforcement could benefit significantly from consolidation of our anti-drug forces under a single, unified command." This resulted in the creation of the Drug Enforcement Administration.

In 1974 we recognized and discussed the need to centralize and coordinate intelligence on drug smuggling. From this came the creation of a multi-agency drug intelligence center—the El Paso Intelligence Center, commonly known as EPIC.

In the late 1970s, the need to coordinate military resources with drug enforcement led to the relaxation of posse comitatus law and the creation of the Defense Department Task Force on Drug Enforcement.

During the early 1980's Senator Joe Biden and I introduced the first of our bills to create a cabinet level official to coordinate and enforce our drug policy. From these efforts came a compromise: the Drug Enforcement Policy Board. However, this Board's influence is still questioned and this week Senator Biden and I with 30 other senators will be re-introducing the "drug czar" legislation.

This Administration has not endorsed the drug czar legislation but did acknowledge the need to coordinate U.S. drug interdiction efforts in 1983 by formalizing the Vice Presidents Task Force on Drugs into the National Narcotics Border Interdiction System. NNBIS's edict is to improve coordination between Federal, state and local drug enforcement agencies.

And, I would dare say that the GAO who is testifying here today could have read from their report of 1983 which clearly documented and recommended the need for coordinating drug programs and directives. They are well familiar with this need.

This long litany brings me to today. We are here to discuss the development of command, control, communications and intelligence centers—C3Is. These centers are founded on the premise that we are still in grave need of coordinating all U.S. dollars and resources for drug interdiction.

This long-standing need is even more critical today.

The Anti-Drug Abuse Act of 1986 doubles U.S. support of drug interdiction by providing for $300 million for the Department of Defense to use in supporting hardware for drug interdiction.

And, by the Congress substantially increasing its support for the drug enforcement efforts of the Drug Enforcement Administration, (DEA), the Customs Service and the Coast Guard.

Yet amidst all of this, is the cry for coordination.

I find myself wondering—if we had devoted the energies spent on turf battles over the last 10 years toward the druggers, we might have reversed the course of the drug battles by now."

I will continue to support necessary resources to combat the drug smugglers.

However, I am not prepared to throw these resources to the wind—and let chance determine their roots.

Mr. Chairman, I could go on—but I'd rather listen to the witnesses.

Is there agreement on what a C3OI: can do should do, and, who should do it?

I'm still not certain and I'm here today to listen.

If the C3I is this tool—then so be it. But, I want everyone in agreement on this point on the public record.

Lets stopping talking about coordination and do it.

I want to see parochial traditions set aside for the best operating mechanisms.

I want to be assured that we're all heading in the right direction, on the same path, at the same pace.

The drug problem of this Nation demands no less.

Thank you Mr. Chairman.

Senator Nunn. Thank you very much, Senator Chiles. You have been one of the real leaders for a long time in this battle. I know the state you represent is more aware of the dangers of trafficking than probably any other state in the union. So we appreciate your change to participate.

Senator Chiles. Mr. Chairman, I hope to get back. If we recess our markup, I will be back to the hearing in a few minutes.

Senator Nunn. Thank you very much Captain Ault. We appreciate you being here. Thank you.

Captain Ault. Thank you the opportunity, Mr. Chairman.

Senator Nunn. We hope you will stay in touch with us and keep us informed of your views as we go along.

Our next witnesses are Admiral Paul Yost, Commandant of the Coast Guard and William von Raab, Commissioner of the U.S. Customs Service. We swear in all the witnesses, if I can get both of you to take the oath here. We swear in all our witnesses.

Do you swear the testimony you are about to give to this Subcommittee will be the truth, the whole truth and nothing but the truth, so help you God?

Admiral Yost. I do.

Rear Admiral Robbins. I do.

Captain Williams. I do.

Mr. von Raab. I do.

Mr. Rosenblatt. I do.

Senator Nunn. Mr. von Raab, I appreciate you being here. I know you have another schedule. In deference to that, we will let you lead off.

TESTIMONY OF WILLIAM VON RAAB, COMMISSIONER, U.S. CUSTOMS SERVICE, ACCOMPANIED BY WILLIAM ROSENBLATT, ASSISTANT COMMISSIONER, OFFICE OF ENFORCEMENT, AND STUART SEIDEL, CHIEF COUNSEL'S OFFICE

Mr. von Raab. Fine. First, or all, it is a pleasure to be before this committee. We had extensive dealings with your committee a few years ago over the Export Administration Act. I know you are very fair and very thorough. I would say that I would be a little more comfortable if Senator Roth were back in the chair, but those things happen, and I am sure that you will be equally as fair to us.

Chairman **NUNN**. We will be working together; we always have.

Mr. **VON RAAB**. In the interests of letting you get to your questions as quickly as possible, I will just submit my statement for the record.[1] It has been carefully worked out, and I would be happy to answer any questions on it. It basically covers three points: First, it details the role of the Customs Service as the primary interdiction agency at the borders running from 1789 through the present. It provides considerable and extensive statutory support for that, as well as customary practices.

Second, it emphasizes the importance that the Customs Service puts on the need for as many Federal agencies as possible, as well as, State and local sheriffs and police departments in the effort of drug interdiction and emphasizes Customs' efforts to ensure that they are all brought in and, wherever possible, they are coordinated and netted together as a unified force.

Third, it goes into some detail over the development and the coordination of the C3I, which I understand is of great interest to this committee. It makes a strong case for the need for the C3I as well as the extensive degree to which the C3I design and planning has been coordinated among the various groups which are set forth in the legislation that provided the money for this.

Those are the three main points that I make in my statement. I believe that they are well supported. I would be happy to answer any questions.

Senator **NUNN**. We will come back to questions. We will go ahead and hear from Admiral Yost at this time, and your complete statement will become a part of the record. We will have a chance to study it carefully. Admiral Yost.

TESTIMONY OF ADM. PAUL A. YOST, JR., COMMANDANT, ACCOMPANIED BY REAR ADM. CLYDE E. ROBBINS, CHIEF, OFFICE OF OPERATIONS, AND CAPT. KENT H. WILLIAMS, CHIEF, PROGRAMS DIVISION

Admiral **YOST**. Good morning, Mr. Chairman. I am pleased to have this opportunity to meet with you and the other distinguished members of the Subcommittee and to provide the Coast Guard's point of view concerning development of a command, control, communications and intelligence system for drug interdiction. Accompanying me today are my Chief, Office of Operations, Rear Admiral Robbins and Captain Williams, the Chief of Programs Division.

I will also summarize my statement.[2] Before I address C3I, I would like to give you my perspective on the drug interdiction program. Most maritime drug traffic destined for the United States departs from Central and South America and the Caribbean staging areas; on the Pacific Coast, we also find narcotics being brought in from Southeast Asia.

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[1] See p. 227.
[2] See p. 288.

Until recently, the Coast Guard concentrated primarily on interdicting traffickers on the high seas.

Federal efforts against drug trafficking cannot succeed without pressuring all modes of transportation. I was the Commander of the Coast Guard's Atlantic Area during the early special operations of Hat Trick, and it quickly became apparent that when surface shipments were reduced to a trickle by those operations, air trafficking increased. Cocaine and other narcotics are flown over the maritime region, sometimes directly into the United States, and other times, air dropped to awaiting boats, on flown into the Caribbean Islands and loaded on boats for the final dash into the United States.

We are, frankly, losing the air war. Our sustained maritime and initial air interdiction operations continue to impress upon me the critical importance of integrated command, control, communications and intelligence, for C3I. I know from experience as commander of a multi-service force in Vietnam, the C3I capability of all agencies involved must be interoperable and integrated for us to be effective in air interdiction of drugs.

To a large extent, with better intelligence and significant Department of Defense contribution, we are achieving this interoperability on the maritime surface side.

Each of my area and district commanders has the command and control, telecommunications and intelligence capability to support surface operations throughout his area of responsibility. Our C3I systems arer designed for interoperability with the U.S. Navy and other DOD forces, particularly those employed in the Maritime Defense Zone, which we abbreviate as MDZ.

Since last November, we have participated in developing the air C3I system through the C3I working group. I believe we have made good progress in many areas, such as communications interoperability requirements, intelligence analysis functions and interface with principal law enforcement data bases at the El Paso Intelligence Center.

Early this week, we reached an interagency agreement on how the joint command concept will be formalized in the southeast.

The elements of that agreement are: and I think you have those, Mr. Chairman, so I don't think that, if you have that agreement, maybe we can just put that in the record and I won't have to read it.

Senator NUNN. We will put it in the record. We have that, and it will be admitted into the record without objection.

[The agreement referred to was marked Exhibit No. 7 and follows:]

EXHIBIT NO. 7

AGREEMENT BETWEEN CUSTOMS & U.S. COAST GUARD

1. Customs will command the Southeast C3I Center until 30 June 1989 with two year rotation thereafter. Deputy will be other Agency between Customs and USCG.

2. The C3I Center will have operational control of all assets chopped to the Center, including other federal, state, and local assets.

3. All C3I Center operational staff will be provided on a 50-50 basis. Senior operational positions are to be evenly split between Customs and USCG.

4. Surface operations Command Centers will remain under Agency control. Agency surface interdiction operations will be coordinated with the C3I Center. For specific operations, surface units may be chopped to the C3I Center.

5. Each agency agrees to devote significant air and surface assets to be commanded from the C3I Center.

Date: 3/16/87

Stephen S. Trott
Chairman, Coordinating Group

U.S. Customs

U.S. Coast Guard

TO BE ADDED TO THE NEXT MINUTES.

1. This agreement does not preempt any further decisions or deliberations of the National Drug Policy Board regarding geographic or functional areas of responsibility (AOR), and lead agency issues.

Admiral YOST. Thank you. I expressed by concern about the division of authority for drug interdiction and enforcement and about unnecessary duplication at C3I facilities. On December 9, 1986 an ad hoc subcommittee under the coordinating group of the National Drug Policy Board recommended the Coast Guard be given primary detection responsibility for air interdiction in the Southeast. We were also given joint responsibility with Customs for interception and tracking and a secondary role for apprehension.

Additionally, this group recommended joint command control and operations of the Southeast Region's C3I center to be owned and administered by Customs.

The Policy Board subsequently adopted these recommendations for our participation in the C3I program.

Senator NUNN. Is that happening now? Have those recommendations been put in effect?

Admiral YOST. Those recommendations have been put in effect and are—the agreement that I just asked you to put in the record is the last piece of putting those agreements in effect in the C3I area. It would be administered by Customs but jointly commanded by Coast Guard and Customs.

The division of responsibilities within the air interdiction mission have also been agreed and put in effect by the Drug Policy Board. Our participation in the C3I program has focused attention on integration and interoperability with other Defense systems. I think we are being fairly successful in making that point.

The C3I center contract design teams have heard our requirements, and I am hopeful their proposals will reflect capabilities we need to do our part of drug interdiction. We are also proceeding as quickly as possible to acquire additional radio communications and security systems to be more interoperable with DOD, Customs, state and local law enforcement agencies.

In summary, with over 2,000 cutters and boats, 200 aircraft, and 45,000 people, the Coast Guard is the largest law enforcement agency involved in drug interdiction.

A joint command structure between Customs and Coast Guard in the southeast C3I center for air has now been agreed to. This compromise will assure that air interdiction assets are more effectively utilized.

This concludes my prepared testimony, Mr. Chairman. I will be happy to answer any questions from you or members of the Subcommittee.

Senator NUNN. Commissioner von Raab, do you agree that those matters have been agreed to now?

Mr. VON RAAB. What has been agreed to, Mr. Chairman, is the management, control and administration of the C3I in the Southeast. That is correct.

Senator NUNN. What has not been agreed to, then? Is there anything in there that the Admiral referred to that you disagree with?

Mr. VON RAAB. There are lots of things that have been agreed to. With respect to——

Senator NUNN. You don't take exception to anything he said in his statement, then, right?

Mr. VON RAAB. Well, the issue that the Coast Guard has been given responsibility for detection in the Southeast is new to me.

Senator NUNN. You didn't know about it?

Mr. VON RAAB. No, sir.

Senator NUNN. Admiral, where did it come from?

Admiral YOST. That was in the minutes of the December 16th Policy Board meeting where the Commissioner's and my people sat down together with me and agreed that in the Southeast maritime area, that Customs would have the primary responsibility for the apprehension, with the Coast Guard having the secondary responsibility. Customs and Coast Guard would share equally the responsibility for intercepting and tracking, and the Coast Guard would have the primary responsibility for the long-range detection in the air mission with Customs secondary.

That was agreed to, signed, sealed and delivered, and is in the minutes of the Policy Board. I don't think that is open for question.

Senator NUNN. Commissioner, you don't agree with that?

Mr. VON RAAB. No, sir.

Senator NUNN. What is you view of the status of it?

Mr. VON RAAB. My view of the status of the air——

Senator NUNN. Of those areas that he just named. He said that was in the Policy Board minutes and they agreed to it.

Mr. VON RAAB. I don't have the Policy Board minutes before me.

Senator NUNN. Do you keep up with what the Policy Board says?

Mr. VON RAAB. Yes, sir.

Senator NUNN. So if they were in those minutes, do you think you would know about it?

Mr. VON RAAB. I realize I am under oath. I don't know whether it was in the minutes or not. I can tell you that I have recently gone through four weeks of subcommittee meetings on long-term detection, and the concept that somehow, the Coast Guard is responsible for something Southeast in the United States and the Customs Service is responsible for detection somewhere else has never even been mentioned in those sessions, and those sessions are a subcommittee of the policy Board.

Whether this variance is in the minutes somewhere, or there were statements to this effect, that is possible. I am not aware of it. I am not acting on that basis.

Senator NUNN. What, then, does the Policy Board do if its decisions aren't known to one of the chief players?

Mr. VON RAAB. There is still a question as to whether this is a Policy Board decision.

Senator NUNN. Admiral, could you furnish that for us, the Policy Board decision on that?

Admiral YOST. Yes, I would be very glad to provide that for the record.

[The decision referred to was marked Exhibit No. 8 and may be found on p. 460.]

Admiral YOST. To refresh the Commissioner's mind, that was a some three-hour meeting over in my office with Mr. Rosenblatt representing the Commissioner; OMB was there; the Department of Defense was there, the Department of Transportation was there and the Coast Guard was there.

The Commissioner may have been out of town during that period.

Senator NUNN. Let me get my staff to show you a copy of the letter that you wrote, Admiral—we have a copy of it here—to the Honorable Stephen Trott, who is the Chairman of the National Drug Enforcement Policy Board. This letter, you could refresh your recollection, tell us about what it says, in general.

Admiral YOST. Yes, that was a letter reporting the meeting that I just discussed, where I reported that there was a unanimous agreement between coordinating group principals who were in attendance at the meeting, including Chapman Cox, Assistant Secretary of Defense; General Olmstead, Department of Defense; Bill Rosenblatt, Customs; Frank Keating, Assistant Secretary of Treasury; Janet Hale, Assistant Secretary of Transportation; Jack Lawn, Administrator of DEA; Ken Schwartz of OMB; Howard Gehring of NNBIS, and Pat Tarr, the recorder.

At that meeting, the agency roles were agreed on as follows, unanimously: Detection, Coast Guard primary, Customs secondary; interception, Customs and Coast Guard equal; tracking, Coast Guard and Customs equal; apprehension, Customs primary and Coast Guard secondary.

Senator NUNN. Who was there from Customs?

Admiral YOST. Mr. Rosenblatt, who is at the table, sir.

Senator NUNN. Is that true?

Mr. ROSENBLATT. I am familiar with those meetings, and I am familiar with what occurred at the meetings.

My understanding, Mr. Chairman, was that because of the two E-2C's that were going to the Coast Guard, that the Coast Guard, in their request to have a maritime air surveillance capability, those two E-2C's were going to go to them, and to the extent that those two E-2C's would be deployed by Coast Guard, they would have a portion of the air detection responsibility in the Caribbean, but not exclusively.

Senator NUNN. So you don't agree with the Admiral's interpretation of that Policy Board meeting; is that right?

Mr. VON RAAB. It doesn't even make sense.

Senator NUNN. Let him just complete that, because he was there.

Mr. ROSENBLATT. That is my understanding.

Senator NUNN. Which is your understanding?

Mr. ROSENBLATT. What I have just related to you.

Senator NUNN. Is that another way of saying you don't agree with the way the Admiral described it?

Mr. ROSENBLATT. That's correct, sir.

Senator NUNN. Did you get a copy of this letter of December the 11th?

Admiral YOST. To——

Senator NUNN. It is a copy showing to Commissioner von Raab. Did either one of you see that December 11th letter?

Mr. VON RAAB. I am sure we have, if it was addressed to me.

Senator NUNN. Do you recall the meeting?

Mr. ROSENBLATT. I recall the letter.

Senator NUNN. Did you take exception to it?

Mr. ROSENBLATT. In my discussions internally, as well as with Assistant Secretary Keating, with respect to some of the factors that were in there. But overall, if you look at that memorandum or that letter, it's stated "a responsibility for detection." I do not believe—and I have not seen that memorandum for sometime—it talks about the entire surveillance picture.

Senator NUNN. Let me try to boil this down. Where do you disagree with the Admiral, then? What specific area do you disagree?

Mr. ROSENBLATT. Could I see the copy of the letter, please?

Senator NUNN. Yes. You can see that. Where do you disagree with him, either on the letter or what he said here this morning?

Mr. VON RAAB. May I answer that question, or do you want Mr. Rosenblatt to answer it?

Senator NUNN. You can answer it; then I would like his personal view, too.

Mr. VON RAAB. Where I would disagree with the Admiral is that there has been a decision made by the Drug Policy Board that has given the exclusive responsibility for long-range detection to the Coast Guard in an area southeast of the United States. First of all, that is impossible, because the Customs Service runs the aerostat that flies over the Bahamas.

Senator NUNN. Wait a minute. Admiral, did you use the word "exclusive" or the word "primary"?

Admiral YOST. I used the word primary, with Customs having a secondary role in that.

Mr. VON RAAB. I will rephrase; primary jurisdiction.

Senator NUNN. Same statement? You didn't understand that?

Mr. VON RAAB. No, sir.

Senator NUNN. Mr. Rosenblatt, do you want to comment?

Mr. ROSENBLATT. There was a great deal of discussion about the definition of primary and also exclusive. My understanding of this document and the discussion that we had there at that meeting is that it was a shared responsibility. When we are talking about detection, which appears on first page, A. Detection, we are talking about detection as it relates to E-2C capability. I am not aware of any other detection capability that the Coast Guard has in their fleet.

So if one would go with the act that they have zero to begin with, that I am aware of, and they gained two E-2Cs, then we are talking with respect to those capabilities provided by those two E-2Cs.

Mr. VON RAAB. It was never a question that it was expected that the Coast Guard would fly the two E-2Cs in the Southeast and that Customs would fly the two E-2Cs in the Gulf and over the Southwest border. That is the point that Mr. Rosenblatt is making, and that is, that that was understood.

But I did not understand nor has anyone ever told me that there was any implication that the Coast Guard, by virture of this, has acquired primary jurisdiction for detection in the southeastern part of the United States. As I said, the fact that the Customs Service manages the aerostats there is an indication that that just isn't the case.

Senator NUNN. Admiral, do you want to comment?

Admiral YOST. I don't think so, any further. This was examined by a Cabinet level group, put in the minutes, reflected exactly these words. I didn't know there was any disagreement. I certainly wouldn't want to reflect that there is any disagreement in the Administration in this.

I think that it is perhaps a misunderstanding by the Commissioner, but we don't have a disagreement at the Cabinet level in this matter. It was——

Senator NUNN. Let's move on. In the long run, according to Admiral Ault—Captain, I just promoted you; Admiral, I demoted you. [Laughter.]

The Captain testified, in the long run, that he believes, Mr. Commissioner, that the Coast Guard should assume the primary mission for air interdiction. Would you like to comment on that?

Mr. VON RAAB. Sure. First of all, I believe that both agencies should be involved in this activity. The air interdiction responsibility is not simply one of detecting an aircraft and somehow bringing it down, which would be your typical military mission. The problem of dealing with air penetrations in a law enforcement environment is considerably different.

I am not suggesting that the detection mission itself doesn't have a lot more similarities to a military mission, but as you follow the progress of the case and you intercept the aircraft, track it, and apprehend it, you are moving further and further away from the military environment.

Our trackers do just that. They just follow the aircraft until it gets to the point where it looks like it is going to land, at which point we have already called in an apprehension aircraft team, who then attempt to make an arrest.

The purpose is not to destroy the target, but the purpose is to arrest the target and then prosecute the individuals in the aircraft. A lot of the responsibilities and support for this effort are on the standard, typical pure law enforcement side, meaning investigations which would have been conducted either prior to or following the interdiction of the aircraft. This means you need a large number of individuals on the ground who would be responsible for doing the investigations necessary to support this exercise.

I would not in any way suggest that, as Captain Ault did, that the Customs Service is not capable of mounting the effort in the actual flying of the aircraft. Our pilots, most of them, are ex-Navy pilots, and are apprehension pilots, for the most part. Many of them are ex-Marine pilots or Army pilots from Vietnam.

I just think it is a simple matter to suggest that somehow, this is a military operation and we should handle it like an attack on an aircraft carrier. Maybe we feel that way. Maybe a lot of the American public would be happier, as I might, with occasionally shooting a few smugglers out of the sky. Unfortunately, the program doesn't work that way.

I think the Coast Guard will do a good job. But I don't think that the mission necessarily has to be placed in just the Coast Guard or the Customs Service. The facts of the matter are that the mission is being conducted now by the Customs Service, and we have invested many years, many taxpayers' dollars, well invested I think, in developing a good program which is still growing and which is gaining in expertise and professionalism.

Senator NUNN. What about those two E-2Cs that you have got? Have you got those in operation now?

Mr. VON RAAB. They are operating right now in a training mode, in California.

Senator **Nunn**. Captain Ault made the point that the Coast Guard has already got theirs out working while yours are in the training mode.

Mr. **von Raab**. Ours are working too, if you want them to, because they are surveilling the border. It just so happens we have not cut loose our pilots as having been completely trained for these aircraft.

I don't know what environment the Coast Guard is operating under, but we have not fully internally certified our pilots to fly these planes outside of Naval supervision. We just think it is wiser, since it is a very expensive aircraft, to take as much time as possible and ensure that our pilots have as much training as they need. But they are operating over the southwest border right now.

Senator **Nunn**. Another question, Commissioner. Captain Ault said that there was no need for a national command center and this ought to be correlated with the NORAD sites at March Air Force Base and Tyndall Air Force Base. What do you say to that?

Mr. **von Raab**. I would like to go back to some of the comments that Senator Chiles made.

There was a debate, quite a lively debate, that took place some four years ago over the role of the military in the detection mission, and it was clear that the military had made a choice, and I guess they made it some years before, that their concern would be only high-flying, fast-flying aircraft, which is basically what the NORAD system concerns itself with.

The Customs Service and smugglers fly planes low and slow, and for that reason, unless NORAD would change its requirements in terms of what types of targets it would be interested in, it is necessary for another system to be established.

I would never argue that it wouldn't be a good idea for the military to change its profiles and pick up some of these low-flying, slow-flying aircraft. They don't do it, and they won't do it. Therefore, we have to do it.

Senator **Chiles**. But that isn't the question of where you do it; right?

Mr. **von Raab**. I'm sorry. I don't hear the question.

Senator **Chiles**. In other words, that could be done at a NORAD center as easily as it could be somewhere else.

Mr. **von Raab**. I believe it could.

Senator **Chiles**. Right. So that is a question that if the military won't do it, somebody else has to do it.

Mr. **von Raab**. That's right.

Senator **Chiles**. But that doesn't have anything to do with where the location should be.

Mr. **von Raab**. No; in our case, we have selected Miami, because of the need to integrate the marine responsibility and the very, very serious and important role that the sheriffs' departments and the police departments play in our marine facility.

Senator **Nunn**. We are told by the Defense Department, at least I have been told, informally, that they would welcome having your, whatever, C3I center located with theirs and having work together.

Mr. **von Raab**. We are locating ours at March Air Force Base. The other question is whether we should put them at Tyndall.

We did go around with the military on this to start with, and quite honestly, the military wasn't interested in our going into Tyndall Air Force Base.

Senator NUNN. They were not?

Mr. VON RAAB. No, they were not, not at that time.

At that time, we also began an intensive effort to build our Blue Lightning Operation Center and to work very closely with all of the sheriffs, and police chiefs in Florida, which meant that we built a very useful center in Miami. Having got that in operation now, and having gotten tremendous cooperation from over 24 sheriffs' and police departments in Florida, we feel that it is more important that we place the C3I in the Miami area to continue this cooperation rather than moving this center to Tyndall, which would just not be very accessible to all of the sheriffs' and police departments with whom we work so closely.

Senator NUNN. When you say "accessible," does that mean they are there on the scene, or within your communicating path?

Mr. VON RAAB. Yes, sir; that means they actually come physically to the center at times.

Senator NUNN. How often does that happen?

Mr. VON RAAB. It happens, well——

Senator NUNN. Frequently?

Mr. VON RAAB. Frequently, yes.

Senator NUNN. Admiral Yost, do you want to comment on that?

Admiral YOST. I am in the position of having caught this train, the C3I, somwhat after it left the station. The Commissioner and I have discussed it at long length. We have come to an agreement very recently that has been read into the minutes on how we will handle the C3I center.

However, that center is, under the law, under the control and administration of Customs, where it goes and how it goes in.

It has only been recently that we have been, under the law, brought into it and given our opinion. I am very pleased with what we have now in this agreement. I am pleased with the agreement that we have with the Commissioner of putting it in at Richmond Heights in Miami.

That is not to say if somebody had asked me before the train left the station where I thought the train ought to go. I would have probably said and have said, it ought to go to Tyndall. But I didn't catch the train in the station. I caught it well along the route, and I have agreed with the Commissioner to go into Richmond Heights.

Senator NUNN. At the bottom of that agreement that we have been furnished, at least one copy of what we have been furnished, there is a quotation which reads, "To be added to the next minutes: 1, this agreement does not pre-empt any further decisions or deliberations of the National Drug Policy Board regarding geographic or functional areas of responsibility and lead agency issues."

Is that paragraph part of the agreement?

Admiral YOST. The agreement was made between Customs and Coast Guard. The note that is on the end of it is an agreement that would have to be made by the Drug Policy Board. I have asked Steve Trott, and the Commissioner has agreed, that when he represents that to the Policy Board that that paragraph be written in as the sense of the Policy Board that this agreement between Customs and Coast Guard does not pre-empt further discussions and decisions on area of responsibility and lead agencies.

Senator NUNN. Commissioner von Raab, are you satisfied with this agreement?

Mr. VON RAAB. Yes, sir.

Senator NUNN. Does the agreement, as I understand it, it speaks only to the joint command of the Southest C3I center.

Does it cover anything like the design issues, such as the question of whether the C3I should be at Tyndall or Miami? Is that covered?

Mr. VON RAAB. I believe that is, at least in terms of the exercise underway, that is decided. We have already decided with the Coast Guard to place the center in Richmond Heights.

Senator NUNN. Does it—it doesn't cover anything about lead agency responsibility; this is not part of it, really?

Mr. VON RAAB. No. It does not.

Senator NUNN. Do you agree, Admiral?

Admiral YOST. The agreement is carefully crafted. The first paragraph talks about the center in southeast United States. It doesn't talk about Tyndall or Miami or anyplace else. The agreement has to do with the Southeast center. I agreed, as a separate matter and a compromise with the Commissioner, to put it in Richmond Heights. I don't think the agreement has anything to do with the location of it.

The location was agreed earlier that it would go into Richmond Heights as a compromise between the Commissioner and myself between Miami, the Brickell Building, Richmond Heights, and Tyndall.

I don't think the Commissioner got his first choice on where it ought to go. He would have had a different first choice, probably, than Richmond Heights, and I can tell you, I would have had a different first choice. But this was a compromise, something we both agreed would work and be effective.

Senator NUNN. Thank you, Admiral.

Senator Chiles, I yield to you, now. I have got a number of questions, but we will run back and forth.

Senator CHILES. Thank you. Admiral Yost, I am trying to understand what you all have done here. In your statement, you stress the effective C3I must be interoperable and integrated, and you agree with Customs that the joint command—I want to find out. Is your agreement for joint command conducive to interoperability and integration?

I am concerned that rotation of command isn't really joint command. Can you explain how that cooperation is going to be fostered?

Admiral YOST. I think I can. I think I understand the question. A joint command is normally a military term. It has been well understood since about 1947. It means that there is one commander in charge of an operation, and joint commands are normally rotated amongst the members of that command. An Army General would have it for one period; a Navy Admiral, maybe, for another.

In Vietnam, I had command of a joint Navy/Coast Guard operation. After I left, a Navy commander relieved me. So a joint command does normally rotate. It is a command with one commander, one guy that has the responsibility for doing the job.

There was a second part to that question, Senator Chiles, and I have lost it.

Senator CHILES. That was just how this cooperation was going to be fostered.

Admiral YOST. Oh, interoperability. I think we will assure, between Customs and ourselves, the interoperability of our communications between his forces and mine through that center. We will have a little more trouble, perhaps, being sure that we can communicate with DOD, DEA and other forces, but I think that we will work on that, as well.

Senator CHILES. Does this agreement envision that the joint commander will be commanding both the forces of Customs and Coast Guard?

Admiral YOST. Yes. Forces will be chopped or shift their operational control, to that command center. Those forces, both Customs and Coast Guard, will work for that command center, primarily air, but also surface for individual and special operations.

Senator CHILES. Primarily air, but also surface for individual operations. Is the joint command center going to command the Coast Guard cutters as they relate to drug interdiction?

Admiral YOST. Coast Guard cutters, on occasion, and a significant number of them, will be chopped, or shift their operational control, to that command center for specific periods of time.

Senator CHILES. Customs assets will be handled the same way?

Admiral YOST. Yes, and command for that center for the first two years will be Customs. That gentleman will be holding the bag to be sure that Customs and Coast Guard units work together to make the thing happen. When we rotate the command, there will be a Coast Guard officer holding the bag, and if it doesn't work, the Commissioner is going to be down the throat of his commander, and in my two years, I am going to be down the throat of mine. We are trying to get some accountability put into this thing, and I think it will work.

Senator CHILES. This is air and marine interdictions that we are talking about.

Admiral YOST. It is all of air in the drug interdiction, and it is marine on an assigned basis, primarily for special operations for finite periods of time. We may have a joint operation going down where we are looking for an air drop, and the gentleman that is running the center may need a Coast Guard cutter; he may need a Customs boat. Whatever he needs, he will go to the Customs guy and the Coast Guard guy who owns these and say, "I would like X number of boats for so many days or hours," and they will be chopped to him, and if they aren't, the Commissioner is going to want to know why, and so am I.

Senator CHILES. Commissioner von Raab, you state in your testimony that sophisticated communication capability is a critical part of the air interdiction system. Can you all talk to one another yet? Can a Navy E-2C talk to a Coast Guard vessel, an Air Force helicopter or your C3I center in Miami?

Mr. Rosenblatt. Senator, in 1985, we ran an operation, Coast Guard, Customs and other Federal agencies, as well as the Bahamians. It was called Blue Lightning. You might be familiar with it.

Senator Chiles. Yes, sir.

Mr. Rosenblatt. When I was assigned in Florida working with the former Admiral down there, we came up with one big problem relative to that operation, was communications. Since coming to Washington, DC, and working with the Commissioner, he and I have had a number of discussions revolving around communications.

Thanks to the Administration and the Congress and as well the Commissioner, we have poured in enormous resources from a Customs perspective, not only for our own people along the southern border and throughout the United States with what we call voice privacy radio, but also HF single sideband secure radio for our aircraft and vessels.

In addition, we have provided, along with the entire southern border, over 600 voice privacy radios for use by state and local agencies that are working closely with Customs. Insofar as the specifically, the E-2C——

Senator Chiles. I guess my question is: Is Customs doing all this and is going to have all of their secure systems, and then is Coast Guard going to have a system like that in which they are going to pour in all their resources, and then is the Air Force going to have something? Can you all now talk to each other all the way across the board, or are we going through and setting up one major system, albeit as good and perfect as you can, and you all can't even talk to all the other Government assets that are out there?

Mr. von Raab. There are still problems to be worked out between the Coast Guard and the Customs Service in terms of getting compatible radios. Right now, we operate on a loan basis which—for special operations.

Senator Chiles. Then we are talking about building a C3I center before we have a uniform communication systems between all the interdicting parties.

Mr. Rosenblatt. I assure you, Senator, Customs specifications provided by our COMSAT are compatible with the R2O communications, specifically with communication for the Coast Guard. They are compatible.

Senator Chiles. How about Navy, Air Force?

Mr. Rosenblatt. The single sideband HF is the ticket. That gives interoperability, as we call it. As well, when our voice privacy, what we call our DES, there are 32 channels potentially, or frequencies, if you will. For the FBI or DEA all we have to do is what we call "proming" those radios, and we can place those agencies frequencies to one of the 32 channels.

Senator Chiles. The C3I concept is a major step in drug enforcement, what role did the Drug Board have in developing the C3I?

Mr. von Raab. The C3I, its original development predates the Board. Since the Board has been in operation, it has been, in effect, a supervisor of the coordination among the four agencies who are responsible under the law for working the C3Is out. We report to the Board with respect to our coordination, and it would be the

Board that would resolve any issues that would arise among us, although that has not been necessary yet.

Senator CHILES. It looks like to me that here we have got what we think is the great drug coordinating board and now it looks like they got into this operation a few days ago and lept to do something to put together this agreement. But I don't know what the heck the coordinating board is doing all the time that this was brewing.

We are still a long way, Mr. Chairman, from having any kind of overall coordination and command coming from the top. This is something that we just go back to the early seventies; we are going right around the mulberry bush again, it sounds like to me.

Senator NUNN. We feel like we have been here before. We have seen it before, over and over and over again. We just never seem to be able to get the overall coordination. We are going to hear from the Drug Policy Board people next week. We want to see what they have to say.

Senator CHILES. Thank you.

Senator NUNN. Thank you, Senator Chiles.

The Office of Technology Assessment study released this morning finds that despite the doubling of Federal expenditures on interdiction in the last five years, the quantity of drugs being smuggled into the United States is greater than ever. OTA finds that our interdiction effort has succeeded in stopping only a very small percentage of illegal drug smuggling.

Would both of you comment on these findings and imply what you think can be done in the future?

Mr. VON RAAB. Generally, let me say that the report that the Office of Technology put out is out of date and, in many cases, inaccurate. I might just point out——

Senator CHILES. It is not inaccurate that cocaine is selling for half the price on the streets of Miami than it sold for a year ago, is it?

Mr. VON RAAB. I don't know the answer to that, Senator.

Senator CHILES. I think you will find that is a fact and that is about the best indication that you have more supply out there than you have got demand, literally.

Senator NUNN. Unless somebody can dissuade us that that isn't a good indicator, which was given to us back in the Ford Administration by Peter Bensinger, and he was later in the Carter Administration, too, unless someone can tell us that was not a good indicator and tell us why, that is what we are going to look to when we wipe away all the agencies and all the seizures and all the publicity and we welcome that, when appropriate. The question is: What is happening?

Senator CHILES. Seizures are up 1,200 percent. We are seizing a lot.

Mr. VON RAAB. That is not a good indicator of the success of the interdiction program. It is certainly a good indicator of the success of the entire program running from production——

Senator NUNN. That is what I am talking about.

Mr. VON RAAB. As an indicator of interdiction, that is not a good indicator.

Senator NUNN. That is a big part of it. Then you have to sort out how much is domestically grown.

Mr. VON RAAB. If there is ten times production, your interdiction had to go up by that to maintain pace with that.

Senator NUNN. It is a good indication of what the American taxpayers are looking for. That is what the American people are looking to.

Mr. VON RAAB. That is true. I would like to point out, as a good example, that the report shows that the Border Patrol is responsible for interdiction on the land locked borders. That is not true. Customs is. That is just sort of the level of understanding that OTA has of the interdiction program.

In terms of whether the interdiction program is succeeding or not, I usually judge it and I like to judge it by the tactics that the smugglers are taking in order to deal with the Coast Guard and the Customs Service; the degree to which they are willing to be pushed to the "ragged edge"; the degree to which they are willing to take risks in order to get the drugs into the country. I think if you would look at the tactics that drug smugglers are using, you will find that they are taking many more risks, pilots are being paid much more. They are much more nervous and realize that they are much more likely to be caught in the interdiction environment today.

Unfortunately, because of the increased production, this has lowered the price on the street, and I am sorry about that.

Senator NUNN. What should we look to, then? What should be our criterion or criterion for success?

Mr. VON RAAB. I think unfortunately, the criteria for success in the interdiction area is found right here, and that is, an extensive grilling of the officials over the various details of the interdiction program and our telling you where the planes used to be flown into the United States. Now, there are fewer of them being flown into the United States, as even the GAO people said, and many more air drops are being made into the sea. This is an indication of a more successful air interdiction program.

Senator NUNN. Looking at it broader than that, what should be our key indicators in terms of determining how much should be put in interdiction, overall; air, sea, all of it? And how much of it; whether we might be better off spending that money on something else, like going to the source through some foreign assistance program or putting it in through education, trying to stop the demand, the relative damand side. How are we to make that judgment?

Mr. VON RAAB. Mr. Chairman, I do not have a formula that I could give you on that. We are continuing to review the defenses that the United States is establishing. There is an extensive exercise right now underway to determine the level of long-range and short-range detection necessary, and when that is done, I am sure the Congress will hear about it.

It's just, with respect to each one of the steps, it's an extensive analysis and some judgments that have to be made by people high up in the Congress and the United States as to how much they would be willing to pay for that.

Senator NUNN. But we have got to have some basis to——

Mr. VON RAAB. To apply the Federal cost.

Senator NUNN. We have got to have a national goal. We could pour another $4 billion in, and we could make more arrests and we could have more and more and more of that. If the price goes down on the street, it means from somewhere, these drugs are here and the supply is really exceeding the demand. And we are encouraging our young people to participate in a very harmful activity for them and the nation.

Everybody is looking at one little picture.

Mr. VON RAAB. I would have thought the best tests are the letters and the conversations that you have from your constituents.

Senator NUNN. If that is the test, we are flunking.

Admiral YOST. I would say, Mr. Chairman, that the President's total policy includes interdiction. Without an effective interdiction operation, I think the rest of the policy, the demand side of it, the education, the treatment, et cetera, doesn't have credibility unless you have an effective interdiction operation.

I testified to you, that in the last three years, I have seen the surface picture grow very much brighter.

The price of marijuana is up; the supply is down. It comes by surface. We have done a very good job with that. Meanwhile, I testified to you that we are losing the air war. They are overflying us, and we are not effective in the air war. We are just beginning to put some interdiction assets in the air war, two E-2C's.

Senator NUNN. So you think we are winning the surface war?

Admiral YOST. We are doing a good job on the surface war.

Senator NUNN. You mean land and sea.

Admiral YOST. I mean the surface of the sea. The land border is Customs and looking at containers, the investigation of baggage at airports. I don't have any Coast Guardsmen involved in that. On the sea, which is my primary responsibility, we have made major, major inroads, and I wouldn't be very anxious to pour a lot more money into the surface interdiction problem.

But in air interdiction, when I had a task force out there for two years, 12 Coast Guard ships, four destroyers, all of the air I could clean off of the east coast, an oiler and all of that, for two years I watched them overfly me as I shut down the surface operation. That is why when I became the Commandant, I said, "We are going to shut down the air operation," and we are just getting started in air.

We have got a couple of E-2C's that went to Customs; two that went to Coast Guard. We are equipping our Falcon aircraft with sensors that will be on line in another 12 to 18 months. We are just getting started on air. Effectiveness, we are not effective in the air. Cocaine is so abundant, so cheap, we are flooded with it. We have got an epidemic of it. It comes by air. I think that we will shut down some of the air. It is going to take us a couple of years before we get everything on line to do it, and when we shut down the air, then it is going to come in someplace else and we are going to have to look at that someplace else.

Containers, everybody talks about containers. I think that is a good place to look. We don't look at containers. I'll bet you Customs doesn't look at one container out of 10,000 and we don't, either. There needs to be some effort.

Senator NUNN. The Commissioner seems to have a comment on that.

Admiral YOST. Good.

Mr. VON RAAB. We strip approximately 3 percent of containers that come in. That means we take the container completely apart. We look at 20 percent of the containers in some way or the other.

Senator NUNN. Admiral?

Admiral YOST. If he says it, I can't doubt it. That is his responsibility; it's not mine. There is an awful lot of containers coming into this country, and I didn't have any idea that we were looking at 20 percent or even 3 percent; even 1 in 10,000 is surprising.

Senator NUNN. The 1987 Department of Defense Authorization Bill requires the President to submit a drug interdiction program to Congress by May 13th of this year. The law requires that "maximum use be made of existing Department of Defense and Coast Guard command and control networks."

Will the planned Customs C3I comply with that requirement, Commissioner von Raab?

Mr. VON RAAB. I believe it will. We will be receiving—the March Air Force Base, the west C3I is in a military installation, and will receive the data that is available at the spot.

In terms of the East Coast, although our facility is not located on a military installation, it will receive the same kinds of data that the one in March would, and we believe that will certainly meet the requirements, and we have requested DOD's assistance in the planning of this, although up to now, they don't seem to have thought it was necessary and actually suggested that we hire a contractor.

Senator NUNN. They are saying they have to hire a contractor?

Mr. VON RAAB. No, they said we should just go out and hire a contractor.

Senator NUNN. You are not getting cooperation from DOD?

Mr. VON RAAB. I didn't say that. I said their response was that we should go out and hire a contractor. The three bidders are military contractors, so they know the C3I business.

Senator NUNN. We are going to have them testifying. It sounds to me as if you are saying you are not getting full cooperation.

Mr. VON RAAB. No, I am just saying they don't seem to feel we need it. Their advice is, "You don't seem to need any advice." If they testify differently——

Senator NUNN. You are saying you do need it, right?

Mr. VON RAAB. I am saying we are happy to take any advice that we believe would be helpful, but if your adviser says you don't need any advice, then that is advice in itself. [Laughter.]

Senator NUNN. Well, in a way, that's true. [Laughter.]

On the other hand, if you tell them that you feel you need advice and they tell you that they aren't going to give it, that is a different matter.

Mr. VON RAAB. I wouldn't say that was the case.

Senator NUNN. You must have agreed with them that you don't need any advice.

Mr. VON RAAB. We accepted that advice. [Laughter.]

Senator NUNN. Agreeable, right?

Mr. VON RAAB. Agreeable, yes.

Senator NUNN. Admiral, would you comment on whether that provision of the law is being met?

Admiral YOST. It certainly is at March Air Force Base. They—at least there is a separate building there, as I understand, that is next door to the SOCC, the operations center on the base. It is, to an extent, on the East Coast, where, contrary to—a little bit contrary to what the Commissioner said, Richmond Heights is on a military base, is on military land. It is on Coast Guard land, right next to a Coast Guard communications center.

So to an extent, it meets it from that point of view, that it is colocated, or co-located with a communications center. Whether it would be better to have it at Tyndall Air Force Base in the same building with the SOCC is something I didn't get into early enough because I wasn't in at the start of this train.

As the Commissioner said, this started long before I was Commandant, long before there was a Drug Policy Board. I got in in the middle I made a gentleman's agreement and compromise with the Commissioner that I will stick by. I am satisfied where it is.

Whether it meets the law or not, you can extrapolate yourself into saying yes, it is on a Coast Guard Base right beside a Coast Guard communications center. When you asked me whether it should be at Tyndall or not, I told you, that is probably my first choice.

Senator NUNN. Is it too late to put it there now?

Admiral YOST. Well, Customs has the money and the responsibility of the contractors for putting that thing in. It is their feeling that it ought to go to Richmond Heights. The Commissioner would have to answer whether it is too late to go to Tyndall.

Senator NUNN. Admiral, do you beleive a national C3I center is needed?

Admiral YOST. I see absolutely no reason for a national C3I center. But much of that has to do with how you divide up the areas of responsibility, which is something the Drug Policy Board is coming to grips with, and that required report by the President to Congress, in accordance with your amendment.

Senator NUNN. Getting to that point, I would like to get the views of both of you of what you believe yourself should be done in terms of assigning responsibilities to given areas. Admiral, I will start with you.

Admiral YOST. Of course, each of us has submitted a paper to the Drug Policy Board, which I understand is physically on the desk of the Attorney General, including one from Mr. Jack Lawn and maybe one from DOD. He is putting that together now.

Do you want from me more than telling you I have submitted a paper to the Administration and they are studying it? It is an internal paper, sir.

Senator NUNN. I would like to get your personal views. I am not necessarily asking you what you submitted, but just your personal views on what it ought to be.

Admiral YOST. Okay. My personal views are relatively well known. I haven't been secretive about them at all since I have been Commandant.

I am convinced that in any operation, you need an area of responsibility, an agency assigned to that area. If I needed to have learned that, which I didn't, I would have learned it in Vietnam during some 13 or 14 months of combat, when you have friendly-on-friendly, and in that kind of a situation, you lose people. In the drug world, all you lose is busts, so it isn't as important, but you do need an area that one agency is responsible for.

I had proposed, on several occasions, that the maritime area, that is, over the high seas, and the territorial sea, over, on and under, if they start to bring it in by submarine, would be a Coast Guard responsibility. The Coast Guard would be the lead agency. It would have that area of responsibility. It would not have all of the assets. Customs has aircraft, very well-trained pilots. They have fast boats with well trained coxswains.

But those people, when they are in the maritime area, should be operating in support of the United States Coast Guard, which would be the lead agency. Similarly, over the land and the land border, that would be a Customs responsibility. In any agency, whether it is DOD or Coast Guard or DEA that operates in the area over or on the land, ought to operate in support of Customs. That doesn't mean I am going to give Customs all my aircraft or DEA is going to give them all theirs because we operate in their area of responsibility. We operate in support of them, which means they are coordianting it; they're holding the bag; they're responsible for making it happen.

Over the foreign countries such as the Bahamas, that ought to be DEA. DEA ought to have that area of responsibility, and whenever the Commissioner or my forces operate in that area, we operate in support of DEA, so that you don't have to go very far to know who is in charge, or where the buck stops and whose area is whose.

That is my idea which I have pushed right along and will continue to push. Unless the Drug Policy Board makes a decision contrary to it, if they happen to, then I will support that decision.

Senator NUNN. What you are saying, and when we use military terms, unity of command.

Admiral YOST. I am, sir.

Senator NUNN. Clear lines of responsibility.

Admiral YOST. Clear assignment also of responsibility, I am, sir.

Senator NUNN. Commissioner, what is your personal view on that?

Mr. VON RAAB. My personal view on that is that the present system is probably where we will end up and should end up with some possible refinements or clarifications. I believe that it is a big mistake in the middle of a war like this to decide to change the way you do business. I wasn't around in 1973 when the reorganization took place creating DEA but I can assure you, it set back the war against drugs at least five years.

Senator NUNN. This is not a reorganization. Nobody has even mentioned a reorganization. We are talking about which agency is going to be in charge. This is a totally different thing. I went through all that reorganization, and I think any time you have a massive reorganization, it does set you back. I agree with that.

This is simply saying you have to have some accountability and somebody has to be in charge. That is what the legislation says. I don't know what the Policy Board is coming up with. How do you interpret it?

Mr. von Raab. The present situation is quite clear, and that is that the lead for border interdiction is Customs Service. That was set forth as a result of 1 Reorganization Plan No. 2 in 1973.

The Drug Policy Board has taken responsibility and will continue to take responsibility for any areas in which there is possible overlap. But it is quite clear, the lead for Customs in the marine area is three miles out. There is a joint responsibility between three miles and 12 miles; that is quite clear. And the Coast Guard is responsible for 12 miles and out.

On the land border, it is the Customs Service that has the lead responsibility. The only issue that is being discussed and is the topic of these hearings is the lead in the air. At present, the Customs Service is still, by virtue of the laws that we are operating under, designated as the lead for air interdiction, and I believe it should stay that way.

Senator Nunn. Admiral, how do you see it?

Admiral Yost. I guess I'm not familiar with those laws, that there is any law that would give to Customs a lead responsibility over the maritime area outside the Customs Borders of this country. There is only one agency that I know of that has any law enforcement responsibility outside of Customs waters, which is 12 miles, and that is the United States Coast Guard. The Department of Defense doesn't; the Navy doesn't; the Customs doesn't; the DEA doesn't. It is the United States Coast Guard that has that law enforcement responsibility.

Mr. von Raab. I would say the Admiral should read 19 USC 1644, 49 USC 1509, 1474, which gives the Secretary of the Treasury the responsibility which he has delegated to Customs to describe entry and clearance laws for aircraft and to extend Customs laws to aircraft; 19 USC 1590, which is the new aviation smuggling law and the continued revival of the air porgram authorized by 1968 in each year of our appropriations.

Admiral Yost. What we are talking about there, Commissioner, is the responsibility for aircraft at ports of entry. We are not talking about a law enforcement responsibility against aircraft in the air over the high seas, regardless of what flag they are. It just doesn't make any sense.

Mr. von Raab. That is actually wrong. 19 USC 1590 describes air smuggling out to 250 miles, and that was just passed by the Congress.

Senator Nunn. Does that say clearly that the Customs Service or the Treasury Department has the authority to make the arrest and so forth?

Mr. von Raab. I would like to have Stuart Seidel, of our Chief Counsel's Office, respond to some of these questions.

Mr. Seidel. Mr. Chairman, 19 USC 1590, which was added by the Anti-Drug Abuse Act, makes it a criminal offense and a civil violation for aircraft to engage in certain activities. The law contains certain presumptions when the act is within 250 miles of the territorial sea of the United States. It was placed in Title 19. The legislative history makes it clear that these provisions and others to enhance the Customs interdiction capabilities and to be a comparable component to the Anti-Smuggling Act of 1935. The new section

1590 is part of the "Customs Enforcement Act of 1986" (Title III, Subtitle B, of Public Law 99-570).

The Coast Guard, as you know, are Customs officers by law. The law says warrant, commissioned and petty officers are customs offices. To that extent, they do have the legal authority, along with Customs, to enforce the Customs laws, including this new law. However, if you look at 14 USC 143, which is one of the Coast Guard's authority to act as a Customs officer, it says when they are so acting they are subject to the directions of the Secretary of the Treasury.

We would point out that, at least from a legal standpoint, it seems that to put an agency in charge of a responsibility where the law makes it another agency's primary statute and they have to operate under that agency's directions, it just seems from a legal standpoint to be putting the cart before the horse.

Senator NUNN. It sounds like to me we have got some serious overlap in the law; do you agree with that?

Mr. SEIDEL. It may very well be that there is an overlap in the law enforcement area.

Senator NUNN. You say it is not clear.

Mr. SEIDEL. No, I think the statute is clear, it is a Customs law. I think there is joint enforcement responsibility, and I think Congress intended that. But that doesn't mean that one agency should be in charge.

Senator NUNN. You believe this should be clarified in terms of somebody being the lead agency?

Mr. SEIDEL. I don't think that a lead agency is the proper way of running that.

Senator NUNN. What do you think should be done?

Mr. SEIDEL. I think you have to continue the coordination that the agencies presently have.

Senator NUNN. You are saying that we have got an overlap between jurisdiction and we don't need to do anything about it?

Mr. SEIDEL. Mr. Chairman, since you put me on the spot, I have been down in Miami for the last three months. I was with Customs Headquarters for the last 17 years before that. If you are talking about coordination, I think south Florida is a good example. "BLOC" (Blue Lightning Operations Command) Center, Customs, Coast Guard, DEA, certain military components and all the local state and local agencies in Florida with a marine element are now working together.

Customs transponders are being made available to coal vessels; Customs and Coast Guard are sharing our radios provided for by the agencies, although it is not fully implemented yet. Whichever vessel is closest can respond, and this is the C3I concept.

I think this is the way that it should be moving.

Senator NUNN. You are saying the law doesn't need changing, then.

Mr. SEIDEL. I don't think the law needs changing.

Senator NUNN. Let me ask you this. When was that most recent law put in effect?

Mr. SEIDEL. October 27, 1986.

Senator NUNN. When was the Defense Authorization bill signed?

Mr. SEIDEL. I can't give you a date on that.

Senator NUNN. It was after that.

Mr. SEIDEL. That is a question of coordinating resources.

Senator NUNN. It was after that. As a lawyer, wouldn't you agree that the President now has the jurisdiction under the clear authority of the Defense Authorization bill to designate the lead agency in either of these areas, notwithstanding previous laws?

Mr. SEIDEL. As a lawyer: He has the authority to assign responsibilities. I don't think you can, by Executive Order, change statutory responsibilities without changing the statute.

Senate NUNN. If he has been given a subsequent statute where it clearly sets forth his duty to give the lead agency, would not he be required and authorized to do that?

Mr. SEIDEL. He would have to submit any needed legislation to implement it, I believe is the—I believe the way the authorization bill is worded.

Senator NUNN. That is in the law.

Admiral.

I think it is one of the best examples I have ever seen here this morning is that we do need the President of the United States to, in his Policy Board, to clearly set forth the line of authority and command. It is absolutely clear out there in the field; it is clear right here in Washington; it is clear right here in this committee room that we have some major coordinating problems that have to be clarified.

Admiral.

Admiral YOST. I would agree with you, and I am sitting here thinking I am sure glad I didn't bring my chief counsel here. You are a very good lawyer. Thank you.

In any event, I think the Policy Board does have an intent, as encouraged by the Nunn Amendment, to lay out the lead agency responsibility and the area of responsibility. I intend, as does the Commissioner, to make our views very well known and to push our views within the Policy Board structure. I think I have stated mine. We do need somebody in charge. We need to have somebody who is going to kick end and take names. Until you have a lead agency, that is very hard to do.

Senator NUNN. Let me ask both of you, on another line of questioning, about the Drug Policy Board.

I believe we had a lawyer testify without being under oath, didn't we?

Admiral YOST. We did.

Senator NUNN. Would that change your testimony? [Laughter.]

Mr. SEIDEL. No, sir, and if you want me to go on the record, I swear that that is true.

Senator NUNN. Lawyers, of all people, and being one myself, need to be put under oath. [Laughter.]

That was a serious omission. [Laughter.]

Commissioner, could you tell us, and also Admiral, what you think the Drug Policy Board role is? How do you define their role in this overall effort?

Admiral YOST. Could I start on that?

Senator NUNN. Yes, sir.

Admiral YOST. Because I would like to share a little bit of the blame with Congress. I don't get an opportunity, to do this very often. I am relatively new in Washington, at least in my present position. The drug—I came into the Drug Policy Board just in the last seven months. I saw the Drug Policy Board struggling with the assignment of resources and the allocation of resources.

While the Drug Policy Board was attempting to do this, at the same time, the Congress was passing the Drug Omnibus bill. I spent a third of my time with the Policy Board trying to put forth the Coast Guard's interest in how I thought it ought to run. I spent two-thirds of my time up in Congress pleading with various Congressmen, and I visited you, as you remember, Senator, asking the Congress to allow the Drug Policy Board to make these allocations.

I had said to at least 50 people up here, "Please let the Drug Policy Board allocate the E-2Cs. Please let the Drug Policy Board allocate the money for the C3I." And what happened? We got a Drug Omnibus bill that says: Two E-2Cs to Customs and two to Coast Guard; probably the worst decision you could make, dividing two and two. Almost any other decision would have been better than that; purely a political decision; and at the last moment of the Congress, in the fading hours, not days, the fading hours, the language that said that the C3I money would be allocated by the Drug Policy Board was changed to "under the exclusive control of Customs."

It is this kind of law that causes the Commissioner and myself to fuss and to argue some in trying to work out these things, where we have got the Drug Policy Board that ought to be doing it. So Congress deserves some of the blame on one hand, allocating themselves, and then on the other hand, pleading for a drug czar type of thing. I believe that if you had a drug czar, Congress would still allocate E-2C's, et cetera, while the czar was writing letters up here pleading that you let him do it.

So, I think that there needs to be some structure here, as well, sir.

Senator NUNN. I would agree with you in part, but disagree in part. Because I think the feeling in Congress—and I don't agree with that decision. I don't think it should have been allocated with that. I think it should have been left up to the Drug Policy Board. The feeling, up here, is that the Drug Policy Board is not doing its job and not coordinating. We get that because we talk to everybody out in the field, and we just feel it is not a coordinated effort. This is a perception on Capitol Hill that we have got a vacuum.

Maybe the Attorney General and others will clarify that, but that is the feeling. Congress doesn't leave many vacuums for very long. When they see something is not getting done, we tend to get into micromanagement.

I think this should not have been done, but I think we need to get to the Drug Policy Board.

Commissioner, do you want to talk about the Drug Policy Board?

Mr. VON RAAB. I attend the regular meetings of the Drug Policy Board subgroup, a second team, I guess, called the Coordinating Group, and I can assure you that they deal with many issues, and they provide direction on those issues.

From my perspective, they provide an enormous amount of coordination. I realize that this hearing is tending to examine the lack of coordination, but I am not sure what the signs of lack of coordination are in the field that are.

Senator NUNN. Commissioner, it is when every other agency, other than Customs, tells you that Customs isn't checking with them on what they are doing with C3I. To give it to you straight, if you don't know about it. It is the worst kept secret in town, because everybody else believes that they aren't being promptly consulted on what you are doing with C3I. They don't believe you are coordinating with them. They don't believe you sought their advice. They don't believe that you are making rationale decisions. And, they don't believe you are making decisions that are in the best interest of both peacetime and wartime C3I.

Mr. VON RAAB. They are not telling me that. And they are not telling the people at the meetings that, and one of the appendices to my formal statement is an extensive review of the coordination that has taken place, and I have in my hand here a list of the meetings and the attendees running from November 5, 1986 through the 13th of February, which all were coordinating meetings and all of which my understanding is the parties were satisfied with what took place at the meetings.

So these people are talking out of both sides of their mouths. I would certainly be happy to have them address those issues to me or to Mr. Rosenblatt rather than scurrying around complaining to Congress.

Senator NUNN. Didn't all of this start after the Drug Act was passed last year? Did you have any coordination with these other agencies?

Mr. VON RAAB. Our first act following the passage of the Drug Act was to write a letter to those agencies who were to be consulted.

Senator NUNN. That was after the Drug Act. My question is before the Drug Act passed; what did you do then?

Mr. VON RAAB. Before the Drug Act, we primarily worked with the Department of Defense, that is correct.

Senator NUNN. Why didn't you talk to anybody before the Drug Act?

Mr. VON RAAB. Well, we didn't talk to them in a formal sense. Obviously, there were lots of discussions.

Senator NUNN. All these other agencies were out there and the coordination was not invented or needed.

Mr. VON RAAB. Who are all the other agnecies? I mean I talked to Jack Lawn at least two times a week.

Senator NUNN. Coast Guard and DEA.

Mr. VON RAAB. I talked to Paul Yost the same frequency. I deal with people from the agency on the same basis and you on the same basis. None of them mentioned this to me.

Senator NUNN. Admiral, do you believe we have had adequate coordination?

Admiral YOST. Maybe I can clarify this. Certainly, in the beginning, before the Act and immediately following the Act, there was very little coordination. Customs had money in their budget; they had the direction from Congressmen who had supported that money in the budget to move very quickly and put C3I in effect.

I objected, when I came in, to the rapidity with which it was moving and to the lack of coordination. I did that at an open Drug Policy Board meeting, a Drug Policy Board meeting at the Cabinet level with the Cabinet level official responsible for Customs. At that point, there was a feeling that, "Customs has the money; Customs has the responsibility, and Customs had the responsibility to do it quickly."

They were not very anxious to do a lot of consultation. Once the Act was passed and once we met with your staff—and I would say Eleanore Hill was extremely helpful in that—and after a meeting or two up here, Customs opened that up and invited us to meet with their contractors and have invited us to interface with their contractors, and we have been full partners ever since.

So it depends on when you are talking about.

Senator NUNN. I know that you have got a plane to catch, I believe, Commissioner von Raab.

Mr. VON RAAB. Do you have a police escort for me to go to the airport?

Senator NUNN. Who are we going to get to coordinate that? [Laughter.]

Which agency?

[A show of hands.]

Senator NUNN. The Coast Guard has a boat right outside. [Laughter.]

I wanted to thank both of you for being here this morning. We obviously all have the same end result in mind. There is no doubt about the fact that we are all on the same team, and I think there is also no doubt about the fact that we are going to need to hear from the Policy Board and get their views about the various lingering problems.

I want to ask if either one of you have anything else you would like to add for the record? I do want to insert for the record a statement from Thomas Steeves, who is the former Director of the NORAD facility at March Air Force Base[1] and Johnnie Stock, former Director of the NORAD facility at Tyndall Air Force Base.[2]

Admiral, do you have anything else?

Admiral YOST. Yes. I would like to say that the assets for the drug war are very, very short, in short supply. The Department of Defense has a lot of assets, and those assets are being used and need to continue to be used in the drug war.

However, I don't think that we should put the Department of Defense or any service within the Department of Defense in the position of having to plan and execute the drug mission. That is the responsibility of the United States Coast Guard and civilian law enforcement agencies.

To the extent that we need the Department of Defense assets in the drug war, I think that the Coast Guard ought to and can provide the interface for that, particularly in the maritime area. Whenever the Department of Defense assets are needed, I would suggest that in the maritime area, they could be operated through the Coast Guard very, very easily. We do it every day, and then keep our military, Department of Defense military people, out of the planning and execution. Their primary mission is defense. My primary mission is drug law enforcement over, on and under the high seas.

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[1] See p. 388.
[2] See p. 408.

Senator **Nunn**. Thank you very much, Admiral.

Any other comments from Customs?

Mr. **Rosenblatt**. Mr. Chairman, I would just like to ask you to include as an appendix to the Commissioner's formal statement this booklet relative to the U.S. Customs Service's C3I program coordination with the other agencies.

[The chronology referred to was marked Exhibit No. 9 and may be found in the files of the Subcommittee.]

Senator **Nunn**. We will do that, and we will have other questions for the record. I have got a number of detailed questions here, but I wanted to stay on the broader scope this morning. We will ask both of you to cooperate with us in getting those questions back.

Mr. **Rosenblatt**. We would be glad to do that.

Senator **Nunn**. Thank you.

Any other statements?

Admiral **Yost**. We will examine providing for the record the Drug Policy Board record minutes as adopted, the question that we took up earlier in the day. I am not comfortable with my letter to Steve Trott as being definitive in this matter. What is definitive are those minutes, which are verbatim, to my knowledge.

Senator **Nunn**. Good. Thank you both for being here, and we will continue to work with you in trying to improve every element of the drug enforcement effort we possibly can. We will have another hearing next Tuesday at 9:30 a.m. in this room. We will be hearing then from the Director of the Department of Defense task force, Major General Stephen Olmstead and Major General Buford Lary of U.S. Air Force.

We will also have a panel of the Federal Bureau of Investigation; the Drug Enforcement Administration and Mr. Stephen Trott, representing the President's Drug Policy Board.

The hearing is adjourned.

[Whereupon, at 1:01 p.m., the Subcommittee was recessed to reconvene at the call of the Chair.]

FEDERAL DRUG INTERDICTION: COMMAND, CONTROL, COMMUNICATIONS, AND INTELLIGENCE NETWORK

TUESDAY, MARCH 24, 1987

U.S. Senate,
Permanent Subcommittee on Investigations,
Committee on Governmental Affairs,
Washington, DC.

The Subcommittee met at 9:34 a.m. in room SD–342, Dirksen Senate Office Building, under authority of Senate Resolution 80, section 13, dated February 26, 1987, Hon. Sam Nunn (chairman of the Subcommittee) presiding.

Members of the Subcommittee present: Senator Sam Nunn, Democrat, Georgia; Senator Lawton Chiles, Democrat, Florida; Senator Jim Sasser, Democrat, Tennessee; Senator David Pryor, Democrat, Arkansas; and Senator Paul S. Trible, Jr., Republican, Virginia.

Members of the professional staff present: Eleanore J. Hill, Chief Counsel; Daniel F. Rinzel, Chief Counsel to the Minority; Mary D. Robertson, Chief Clerk; Declan Cashman, Secretary; Cindy Comstock, Staff Assistant; Kathleen Dias, Executive Assistant to the Chief Counsel; David Munson, Congressional Fellow, DEA; Lenny Willis, Investigator; Howard Shapiro, Staff Counsel to the Minority; Alan Edelman, Counsel; and Marilyn Munson, Secretary.

[Senator present at convening of hearing: Senator Nunn.

[The letter of authority follows:]

U.S. Senate, Committee on Governmental Affairs, Senate Permanent Subcommittee on Investigations,
Washington, DC.

Pursuant to Rule 5 of the Rules of Procedure of the Senate Permanent Subcommittee on Investigations of the Committee on Governmental Affairs, permission is hereby granted for the Chairman, or any Member of the Subcommittee as designated by the Chairman, to conduct open and/or executive session hearings without a quorum of two members for the administration of oaths and the taking of testimony in connection with hearings on the Federal Government's Drug Interdiction Program, to be held on March 18 and 24, 1987.

Sam Nunn, *Chairman.*
William V. Roth, Jr.,
Ranking Minority Member.

OPENING STATEMENT OF SENATOR NUNN

Senator Nunn. The Committee will come to order. Today, we open the second day of the Subcommittee's examination of Federal drug interdiction efforts, particularly the establishment of a command, control, communications and intelligence network by the Customs Service. We continue our focus on coordination among agencies, or, as indicated by last week's testimony, sometimes the lack thereof.

During last week's hearings, the Office of Technology Assessment released a report criticizing the low success rate of interdiction efforts and underscoring overlapping jurisdiction and lack of coordination among our interdiction agencies. GAO's testimony raised questions about the need for Customs' planned national command center, the extent of interagency coordination in developing the program and the ability of the President's Drug Policy Board to effectively settle disputes which arise between our drug interdiction agencies. Retired Navy Captain and former Customs consultant Frank Ault recommended the dual use of our tax dollars, benefitting both national security and drug enforcement interests by the transfer of the drug interdiction mission to the Coast Guard.

Finally, last week's hearings closed with Admiral Paul Yost, Commandant of the Coast Guard, and William Von Raab, the Commissioner of the Customs Service, expressing strong disagreement over the question of lead agency responsibility in the drug interdiction efforts. The disagreement over that issue, as well as their differing interpretations of a recent Drug Enforcement Policy Board decision on the issue, sets the stage for the testimony we are to hear this morning.

Today's hearings begin with the testimony from General Olmstead, Director of the Department of Defense Task Force on Drug Enforcement and General Lary, Commander of the First Air Force, regarding Defense Department assistance in the development of the C3I system as well as the interface of that system with the existing military command and control networks. I am interested in their response to suggestions during last week's hearing that the Defense Department assistance has been less than forthcoming on the C3I issue.

We will also hear from Oliver Revell, Executive Assistant Director for investigations of the Federal Bureau of Investigations and Thomas Byrne, Deputy Assistant Administrator for intelligence for the Drug Enforcement Administration. Althought neither the FBI nor the DEA is vested with drug interdiction responsibilities, each will be involved in the intelligence function of the planned Customs C3I center. We have asked for their views on the planned C3I center as well as Customs' efforts to coordinate the planned system with their agencies.

Finally, Associate Attorney General Stephen Trott will testify in his capacity as Chairman of the National Drug Enforcement Policy Board Coordinating Group. We will seek his views on whether the Board, as currently constituted, is really capable or refereeing the very serious disputes which often arise between our drug agencies and which, if left unattended, can seriously undermine any hopes for success in the war on drugs.

Those types of disputes were illustrated very well in the course of last Wednesday's hearings. We will also want to ask Mr. Trott the very basic but critical question that the General Accounting Office raised at last week's hearing, and that is: Who is in charge in the war on drugs?

I think this is the most important part of our hearings, because this gets right to the heart of the program. We have all sorts of agencies involved, and the real question is whether we have anyone in charge of the overall coordination and whether those people who supposedly are in charge are able or willing to do that job. Also there is the question whether we need to change the law in that respect. Whether they need more responsibility; whether it is a matter of law or whether it is a matter of regulation.

The bottom line is we cannot afford to have war between the Federal agencies when really, the people that we ought to be doing battle with are those who are pushing narcotics throughout this country.

We are delighted to have our witnesses here this morning. Before they testify, I have three entries for the record. We first have a statement by Congressman Earl Hutto, who is the Chairman of the Subcommittee on Coast Guard and Navigation, and I would ask unanimous consent that this be a part of the record. Without objection, it will be admitted.[1]

We also have an article here, a series of articles from the Washington Post. At last week's hearings, Commissioner von Raab testified that the Customs Service currently strips down and completely takes apart 3 percent of all containers entering the United States, and otherwise inspects 20 percent of the remainder of the containers.

These articles, however, cite the House Energy and Commerce Subcommittee as stating that they recently discovered that less than five-tenths of 1 percent of containerized shipments are physically inspected. Of course, this would mean implicity that if you were a smuggler, you have a 99.5 percent chance of success by sending your drugs via containerized shipments. These articles also cite a recent GAO report that found that,"—Customs Service has the resources to inspect only about 2 percent of the shipments entering the country."

Now, I don't know whether the articles are right or the Commissioner's testimony is correct, but we will pursue this matter. We will be back in touch with the Commissioner with a series of written questions to ask him to respond to these articles, because there is a direct conflict. This will be admitted into the record without objection.

[The articles referred to were marked Exhibit No. 10 and may be found in the files of the Subcommittee.]

Senator NUNN. Finally, we have an Office of Technology Assessment response to Commissioner von Raab's critique of their report, which was filed last week, and this response which is dated March 23rd will be admitted to the record without objection.[1]

[The letter referred to was marked Exhibit No. 11 and may be found on p. 463.]

Senator NUNN. General, we are delighted to have you this morning. I believe that General Olmstead, you are going to lead off this morning?

General OLMSTEAD. Yes, sir. Thank you.

Senator NUNN. We swear all of the witnesses before our Subcommittee. We will ask both of you to stand and please raise your right hand. Do you swear the testimony you give before the Subcommittee will be the truth, the whole truth and nothing but the truth, so help you God?

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[1] See p. 385.

General OLMSTEAD. I do.

General LARY. I do

Senator NUNN. Thank you.

TESTIMONY OF MAJ. GEN. STEPHEN G. OLMSTEAD, U.S. MARINE CORPS, DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR DRUG POLICY AND ENFORCEMENT/DIRECTOR DOD TASK FORCE ON DRUG ENFORCEMENT, DEPARTMENT OF DEFENSE,[1] AND MAJ. GEN. BUFORD D. LARY, U.S. AIR FORCE, COMMANDER, FIRST AIR FORCE

General OLMSTEAD. Mr. Chairman, I appreciate the opportunity to testify before your Committee. The Department of Defense is proud to be a leader in the Administration's war on drugs, and we shall continue to fight drug abuse and assist in the drug interdiction program.

Our record of supporting law enforcement agencies has been superb, and it is going to continue to be. Last year, for example, over 95 percent of the requests of the law enforcement agencies for support received a positive response from the Department of Defense.

We have loaned our colleagues in this war a wide range of equipment, ranging from binoculars, rifles, radars and radios up to aircraft. We also are providing special training; we are cooperating in the intelligence effort; and we are offering, where requested, technical advice in many areas, to include the C3I area.

While loaning of our equipment is certainly important, the participation of our military personnel is equally as important. An equivalent training operation are airmen, soldiers, our sailors and our Marines are able to integrate their vital readiness training with anti-drug activities. Last year, we flew over 15,000 hours of airborne surveillance. Our Navy ships with Coast Guard personnel embarking are a force to be reckoned with by the narco traffickers, and our soldiers have repeatedly conducted training exercises necessary in conjunction with anti-drug operations.

In short, there is not a military surveillance aircraft flying or a ship sailing in the high interest areas that is not on the look-out for an airborne or a surface drug smuggler.

At home, our recruiters are active participants in the "Just Say No" program. They serve as role models, as they have access to the schools and the neighborhoods of our country.

The greatest value of the Department of Defense assistance to the anti-drug campaign is our continuing support of the legally constituted law enforcement agencies. While we are not a giant supermarket, nor a long-range substitute for the law enforcement agencies, if given a reasoned program requirement, we continue to be a major factor in supporting the anti-drug program.

Our enthusiastic participation will be constrained only by the primary national security mission and by relevant laws. We are working and will continue to work to do our part to end drug abuse in America.

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[1] See p. 312 for General Olmstead's prepared statement.

I have with me today one of the Department of Defense leading experts on the C3I issue; Major General Lary will be with me today.

Sir, I look forward to your questions.

Senator NUNN. Thank you very much, General.

General Lary, why don't we go ahead and get your statement, and then we will ask questions of both you?

General LARY. All right, sir.

Mr. Chairman, I am here at your request as the CONUSNORAD Region Commander and the Commander, First Air Force Tactical Air Command.

The mission of First Air Force is to train and equip forces for the strategic defense of the lower 48 states. The CONUSNORAD Region provides CINCNORAD with surveillance and control of CONUS airspace and, upon NORAD direction, implements the appropriate response to air attack. In peacetime, our alert response demonstrates resolve to defer any intrusion of sovereign airspace.

The air defense mission also provides tactical warning and assessment to CINCNORAD and limits damage to the U.S. population and forces, if attacked. This mission is accomplished through the use of 47 FAA/joint surveillance radar sites and also 26 fighter alert location sites located in the lower 48 states.

Information from the sites is fed into four sector operation control centers—I may refer to those later as SOCC—and then to the CONUSNORAD Region Operation Control Center at Langley Air Force Base, Virginia, and NORAD's Cheyenne Mountain Complex in Colorado. Data gathered by these radar sites provide medium- to high-altitude detection of aircraft flying in the air space bordering the nation.

Communications from numerous air-to-ground sites are also already in place. Fighter forces on alert around-the-clock provide eyes-on identification of unknown aircraft detected by the radar sites.

The air defense threat that we combat differs in scope from the drug threat. We are postured against the medium- and high-altitude aircraft flying faster than 180 knots. The drug air threat can be high and fast or low and slow. The drug interdiction effort has to be able to track, intercept and apprehend suspected drug runners regardless of speed along the flight path to the drop-off point.

The only First Air Force for radars currently capable of low-altitude detection are the tethered aerostat radar sites at Cape Canaveral and Cudjoe Key in Florida. With a range of approximately 150 nautical miles, these sites are capable of detecting surface tracks as well as airborne objects. Both sites foward their radar pictures to the Southeast Sector Control Center at Tyndall AFB in Florida and to the Joint Marine Interdiction Control Center in Miami.

The low altitude coverage received from the Cudjoe Key aerostat enhances our ability to counter the threat in the southeastern United States, while the Cape Canaveral site primarily supports the U.S. Customs Service.

The Air Force has been actively involved with Customs drug interdiction efforts since the mid-seventies. Customs representatives have co-located at the southern sectors at Tyndall AFB, FL and March AFB, CA since January of '84. Their operations manning provides 16 hours per day, seven days per week capability using our communications, equipment and office space on a non-interference basis. Tracks of interest to Customs are brought to their attention by our Air Force operations personnel.

The support provided by these personnel includes guidance to Customs aircraft when Customs representatives are unavailable. Additionally, the benefit of the AWACS radar data displayed on or commuter screens has been of interest to Customs. Just this month, we have had five AWACS sorties with Customs personnel on the AWACS aircraft.

SOCC collection also allows U.S. Customs Service personnel access to the information from AWACS aircraft, the FAA radars and the balloon radars, and also allows their use of our communications. We stand ready to assist the Customs Service to the maximum extent possible consistent with readiness and our own training.

Thank you, Mr. Chairman, and I am ready to answer your questions.

Senator NUNN. Thank you very much.

General Olmstead, I think you referred to it in your testimony. What are you doing about putting Coast Guard people on Navy ships.

General OLMSTEAD. We have a TACLET program, TACLET team, currently.

Senator NUNN. That stands for Tactical Law Enforcement team?

General OLMSTEAD. The Tactical Law Enforcement Teams, which are authorized to arrest—as you know, sir, our sailors can't—are authorized to arrest in harm's way or down in the high traffic area, we have Navy ships down there with these TACLET teams on them. We believe the figure is about 300.

Senator NUNN. About 300 total members?

General OLMSTEAD. Right now, yes, sir.

Senator NUNN. So it would be about 300 on ships at any one time, or would that be 300 in the total contingent?

General OLMSTEAD. I think they have a contingent of 300. I will check and provide that.

Senator NUNN. What size teams go on ships? How many of them?

General OLMSTEAD. I will have to provide that. I will have to ask the Coast Guard for that.

[The information referred to follows:]

The total TACLET contingent currently is 300 personnel. The number of Coast Guard personnel forming a TACLET ranges from 4 to 10. This number depends on the size of the ships.

Senator NUNN. Is there any problem with the program?

General OLMSTEAD. The Department of Defense is quite pleased with it, and we have had some good successes with it in recent months in the interdiction and apprehension of people.

Senator NUNN. Last week, Customs Commissioner von Raab discussed the question of whether Customs had been assisted by the defense Department in developing a C3I program. In his testimony, Mr. von Raab stated that, "We, the Customs Service, have requested DOD's assistance in the planning of this, although up to now, they don't seem to have thought it was necessary and actually suggested that we hire a contractor."

Mr. von Raab further stated that DOD's advice to Customs had been, "You don't seem to need any advice."

Is this an accurate assessment of the contact between Customs and DOD?

General OLMSTEAD. Mr. Chairman, I think that the Commissioner's statement was one of a frustration more than one of conviction. There has been considerable dialogue between Customs Service and the Department of Defense. We meet and are as responsive, I think, as we possibly can be. If we are not, the Commissioner certainly has access to develop even more dialogue.

I have prepared—which I don't think you want right now, sir, but I could give to the record—a rather long audit of DOD support to customs and specifically, with the C3I, which I am prepared for the record, if the Chairman would like.

[The information referred to was marked Exhibit No. 12 and may be found in the files of the Subcommittee.]

Senator NUNN. But you did recommend that they go to a consultant?

General OLMSTEAD. I think that is a normal procedure. One of our problems is being told what somebody really wants. We get a rather broad requirement. In this particular case, we wanted more specifically, and we do the same thing. When we at the Department of Defense, have something that we really don't know exactly how to approach, we would ask a contractor, "What is the most specific requirement for this?"

Senator NUNN. Was the Department of Defense—and I will ask either one of you to answer these questions as may be appropriate—was the Department of Defense invited to participate in the interagency coordinating groups that Customs set up after the passage of the Drug Bill in October of 1986?

General OLMSTEAD. Yes, Mr. Chairman. It was set up. We attended the first meeting, and they have had a total of, if my records are right, seven meetings, which the Department of Defense has been invited to two of the seven. It was a rather intermittent situation based upon the invitation of the Chair.

Senator NUNN. So you attended the first meeting and how many other meetings?

General OLMSTEAD. We were invited to a total of two, sir.

Senator NUNN. Out of how many?

General OLMSTEAD. Seven.

Senator NUNN. Do you know why you weren't invited to the other meetings? Was there a reason for it?

General OLMSTEAD. I know one of them was canceled at the last moment, so that's all I have to say on that.

Senator NUNN. How many did you attend?

General OLMSTEAD. Members of the Department of Defense attended, one, sir.

Senator NUNN. You attended two of them?

General OLMSTEAD. We attended one and the other one that we were invited to was canceled, sir.

Senator NUNN. How many were you invited to?

General OLMSTEAD. Two, sir.

Senator NUNN. Two.

We understand in 1984 the SOCC commander at March Air Force Base and the Customs personnel there had agreed on plans to create a Customs C3I center by building an annexation to the existing SOCC building at March. We now understand that Customs is instead planning on building a much larger separate building at March across the street from the existing SOCC.

Has the Air Force or DOD been formally apprised of that decision by Customs?

General LARY. Not formally, sir. On my first visit to March, after assuming Command of First Air Force in July of 1985, I was briefed by the Customs people there, people on the scene, the operatives there, not by the Headquarters Customs people, on their plans.

It looked to me like it would be an adjacent building. When I was out there last, which was this past fall, I actually walked out and paced the area off. That area is actually across the street, not adjacent to the building.

The size of the building, I am told, is in the neighborhood of 40,000 square feet or so. I do have a drawn plan of the building; it looks like about half operations and about half of the building is devoted to offices and conference centers, kitchens, latrines, electronics, and those sorts of things. So how much of the space is actually on the operational side, would be difficult for me to tell.

Senator NUNN. But how large of a facility does the Air Force use for that type of a C3I center?

General LARY. We have two of our four sectors built the same size, each for a quarter of the United States. That is the one at March and the one at Griffiss in New York. Those both are about 23,000 square feet.

Senator NUNN. This building is about as big as both of those combined?

General LARY. If it's 40,000 feet, yes, sir, that would be the case.

Senator NUNN. What is the justification for that? Do you need that big a building for C3I?

General LARY. I wouldn't think so. If, as I read, the number of tracks per day are less than ten across the entire south, that would certainly reduce the numbers of scopes, positions and equipment that might be necessary.

I don't really know what their assessment was of the threat and how many intercepts would be conducted simultaneously. Those are the sorts of things that we would look at in sizing. I'm not sure how they size it for that purpose, but that is a fairly large facility to interdict ten tracks a day, if that's what they do.

Senator NUNN. Forty-four thousand square feet to conduct ten tracks a day?

General LARY. It would seem to be so. But someone else might give you a better assessment of the number of expected customs tracks that could be interceptible.

Senator NUNN. Was there a reason that they didn't build adjacent to or have some joint connection with the military facility there?

General LARY. I don't have the track on that one. I always assumed if we knock a hole in the wall and put the wire through and they build adjacent to it, it would seem to be the easiest way to do it. There is space there. There is a street that is about 30 or 40 yards from the building. They chose to select the space across from that street.

As you may know, I do not own March Air Force Base. It is a strategic Air Command base That issue may have come up in discussions with the host base where the host base said, "We would prefer you build across the street."

Senator NUNN. You really don't know.

General LARY. I really don't know.

Senator NUNN. We would have to go to the host base to find out whether, in fact, they had offered that.

General LARY. It might be difficult to come up with the audit trail on that. Apparently, the discussions there were at a low level. They did not come up to my staff for discussions or negotiations and certainly not up to General Olmstead's staff.

Senator NUNN. So you have not seen any justification for the size building they have? It hasn't come to your attention?

General LARY. No, sir.

Senator NUNN. Has Customs contacted the Air Force or DOD regarding the data and other support that the SOCC facility would be asked to provide for the planned Customs facility at March? Do you know what DOD will be expected to do?

General LARY. That was covered in a letter of agreement signed at both March and Tyndall in that it would apply to the amount of space we would provide, administrative space—of which we are short. Power requirements are important; and the power has to be sized to the configuration Customs specifics requires. So we are not sure what the power requirement would be; and the communications requirement would also have to be sized to the size of the facility.

Senator NUNN. We had testimony from the Office of Technology Assessment last week that six to ten drug-smuggling planes are coming into the United States per day. To counter that threat, Customs is planning to build at an initial cost of $41 million, a C3I network with four centers including a national command center.

Given your experience in Defense, do you believe that type of system is necessary, given the estimated task?

General OLMSTEAD. I think we would have to make some sort of a study on that, Mr. Chairman. There were a lot of unknowns, I think, in that hypothesis there that we have to look at.

Senator NUNN. So you really aren't prepared to answer that?

General LARY. It might be appropriate to see what the aerostat balloons pick-up and see what the airtraffic actually is across that border.

Senator NUNN. The key is the balloons out there, and the receiving stations from that information don't really have to be that elaborate, do they?

General LARY. Well, the information would not be displayed at the balloon site. The information could be, but there would probably not be operators at the balloon site. But the extent of the known air traffic now will change.

I was visiting EPIC on Friday, very impressed with the intelligence center there, but that traffic is going to change as we put balloons up; we will detect volume of traffic that we aren't aware of as we put ballons up, but it is going to be a changing thing.

I would think that this study that General Olmstead refers to would want to be a bit of a study, but also a bit of practical experience, to see what actually turns out.

Senator **Nunn**. Could you speak to the question of whether we need a national command center, a C3I center?

General **Olmstead**. Again, I would say that that has to be—we have to determine what the threat is, and we have to see how we can apply it.

Senator **Nunn**. Has anybody done that?

General **Olmstead**. We will be doing that when we look at the reorganization of the interdiction effort, as the Administration is going to provide to Congress later this summer.

Senator **Nunn**. "We" being?

General **Olmstead**. We, the National Drug Policy Board, and specifically, the Coordinating Group.

Senator **Nunn**. You are on that Policy Board?

General **Olmstead**. I sit on the Coordinating Group, which is subordinate to that Policy Board.

Senator **Nunn**. Do you know, as a member of that Policy Board, whether Customs has come in with a plan as to what kind of facilities they need and why? Is there justification for this national command center?

General **Olmstead**. I am unaware of it, sir.

Senator **Nunn**. General Lary, are you aware of those plans?

General **Lary**. I am not in those discussions, and I probably would not be in those discussions.

Senator **Nunn**. Do you have, General Olmstead, any idea about what you would recommend now in terms of the overall C3I needs in this area, or is it just something that you haven't gotten into that much?

General **Olmstead**. My first assessment is that we have ah awful lot of capable agencies which ought to stop, take a look to see the best way for them to coordinate together to meet a threat. I don't think that has been done yet, sir.

Senator **Nunn**. Could we conclude, then, that your judgment is that what is being done now is premature?

General **Olmstead**. Yes, sir.

Senator **Nunn**. General Lary?

General **Lary**. Yes, sir. I would say that.

Senator **Nunn**. Commissioner von Raab testified last week that, "The military wasn't interested in Customs locating its planned C3I center at Tyndall Air Force Base." Do you agree?

General **Olmstead**. No, sir.

Senator **Nunn**. What do you say about that?

General **Olmstead**. I think there is a good potential there. I don't know. I'm not privy to why the Commissioner would say that. I was at Tyndall Friday night, as matter of fact, and I think there is a potential for more, and I underline more, because right now, the Customs Service is there; they say it is on a non-interference basis, but I think as General Lary pointed out, the Air Force is helping the Customs people there. I think the potential is for greater participation at Tyndall.

Senator NUNN. Have you ever been formally notified or have you, General Lary, either one of you, or your organizations been notified that Customs will not be locating the C3I facility with the SOCC facility at Tyndall?

General OLMSTEAD. No, sir.

General LARY. Not formally notified, no, sir.

Senator NUNN. How about informally?

General LARY. When I was down there a couple of weeks ago, I was looking at the facilities with the Customs people at the scene, and they led me to believe that they would not be remaining there permanently; that they would be moving back to Miami. But I heard nothing more about that.

[At this point, Senator Pryor entered the hearing room.]

Senator NUNN. Would there be any national security benefit to co-locating the C3I center at Tyndall?

General OLMSTEAD. I think so. The more we all talk to each other, the better our defense is, but I would yield to my colleague on the specifics of how they tie together. I think so.

Senator NUNN. Wouldn't that be a real advantage if we tied all the C3I together in some kind of comprehensive and coordinating planning network?

General OLMSTEAD. I think so, yes, sir.

Senator NUNN. For both drug and national security?

General OLMSTEAD. I think we can do it for drug without interfering with the prime national security mission of the Armed Forces.

Senator NUNN. Who is responsible for possible terrorist use of small planes, what part of our government?

General OLMSTEAD. The Federal Bureau of Investigation has the terrorist activities.

Senator NUNN. What kind of C3I facilities do they have?

General OLMSTEAD. I would have to yield to the FBI.

Senator NUNN. As far as you know, probably none, right?

General OLMSTEAD. I don't know, sir.

Senator NUNN. Wouldn't there be some advantage to typing whatever drug efforts we have into some kind of comprehensive system that everyone would be able to participate in and be planned in the long range for that purpose?

General OLMSTEAD. I think the more of us that talk to each other, the better defense we can have against this threat.

Senator NUNN. Do you think we have had adequate communication about what is being done now?

General OLMSTEAD. I think we are learning, but I don't think we have done the job as good as we can. I think we are learning, and I'm confident that we will do a better job in the future.

Senator NUNN. General Lary?

General LARY. I agree with General Olmstead. I think that the cooperation is there. There is a basis for it. The people that I see working at the joint agencies such as the EPIC, it is working extremely well, the cooperation that I saw there last Friday. I see the two units that I have, both at March and Tyndall, working extremely well with customs. We have the capability to provide two or three radar scopes for an extended period of time. I am more than willing to do that.

If I'm to provide information from those radar sites, though, I would like to keep that distance as short as possible, because it's quite expensive to provide data and to move that data around the country. I would not like to see it in my budget to move the data around the country unless it was clearly in the national need to have that data displayed at other places.

Senator NUNN. Would you repeat that?

General LARY. I say, I would not like to move that data around the country at my expense, out of the DOD budget, unless it was clearly stated by someone that it was in the national interest that I move that data to other locations other than the places that I already have it.

I am more than willing to provide it at March and Tyndall. I am willing to provide it any other place that is so stated, but I would just like to say, it costs a lot of money to move that information around, and it would require some degree of security of that information as we move it around.

Senator NUNN. How would you feel about piping data to Miami at the Customs C3I?

General LARY. We have looked at that. We think it would probably cost at least $50,000 a month to do that. If that would be the decision, when these gentlemen look at that in the joint agency, the desired outcome, we could certainly do that. I would not like to have it under my budget to do that, however; I would rather someone else pay for that.

Senator NUNN. Would there be any benefit to the national security interests in incorporating the C3I system for drug interdiction with the Coast Guard, Navy Maritime Defense Zone Command and Control Network?

General OLMSTEAD. Yes, sir, it certainly would. It is rather sensitive information on our plan. I think I would like to provide that to the Committee, if I would, sir, but the answer is a strong, affirmative "yes."

Senator NUNN. Has that been done? Has that been looked at as far as you know?

General OLMSTEAD. That has been looked at, and the plans are being worked up.

Senator NUNN. General, given your personal view, now, what about the Drug Policy Board, this board you sit on? How active is that in really coordinating drug efforts of the multiplicity of agencies?

General OLMSTEAD. I sit in one of the sub-boards, Mr. Chairman, the Coordinating Group to the National Drug Policy Board.

Senator NUNN. You are not on the board yourself?

General OLMSTEAD. No, sir. The Board itself is a Cabinet-level board. In answering your question, how effective are they, I think that is a melding of many people who are interested in it, as I'm sure the Chairman knows. There are 37 Federal agencies that are involved in some way in the drug war.

Our direction and our emphasis is coming from the National Drug Policy Board and how we could get together, how we can coordinate to wipe out the problem of drugs, whether it is interdiction, eradication, education, or whether it is cutting down the demand, which we are working on now.

The National Drug Policy Board is our direction.

Senator NUNN. Are you satisfied personally with the way that is operating now? Do you think there is a lot of room for improvement?

General OLMSTEAD. I think that there was a learning curve, and I think they are climbing it very fast. We are moving out very well on that.

Senator NUNN. Senator Pryor?

OPENING STATEMENT OF SENATOR PRYOR

Senator PRYOR. Senator Nunn, first I want to thank you, Mr. Chairman, for holding these hearings. This is the second of the hearings on this important issue. I have a statement, Mr. Chairman, I would like to put it in the record. It addresses some of my concerns with the Federal drug interdiction effort.

Senator NUNN. We would be delighted to put it in the record. Without objection, it will be included in the record.

[The prepared statement follows:]

PREPARED STATEMENT OF SENATOR PRYOR

Mr. Chairman, I want to commend you for your leadership in holding hearings on this very important topic. The problem of stemming the flow of illegal drugs into this country is certainly one of the leading issues of our time.

It is obvious that we must do something about the tremendous amount of cocaine, marijuana, and other insidious drugs that are sapping the lifeblood from our youth, destroying families and causing untold economic harm to our country. I support a substantial federal government role in drug interdiction and I believe we should hold the executive branch agencies involved in this effort to a very high standard of performance.

For as long as I have been in the U.S. Senate I have heard of a lack of coordination between the various executive agencies involved in stopping the drug trafficking. Your hearing last week demonstrated that this lack of coordination continues even to this day. I understand two of the key agencies involved had to engage in a late night meeting just two days before the hearing in order to come up with an ad hoc agreement proving they were serious about coordinating their efforts with each other. Considering the circumstances of that meeting, I have to wonder if it was held in order to promote cooperation or to head off any further congressional scrutiny.

The President declared a war on drugs early in his Administration. But, for the most part, what battles we've seen have been of the turf variety. Neither the National Narcotics Border Interdiction System, headed by the Vice-President, nor the Congressionally mandated National Drug Enforcement Policy Board, headed by the Attorney General, have been able to mount a coordinated offense against drug producers and smugglers.

The street price of many drugs is at an all-time low. It doesn't take an economist to tell you that what we have is a classic example of supply side economics. And, now, because drugs are still flowing into our country, and still the executive agencies aren't fully coordinating their efforts, the Administration has shifted tactics. It's an indication of how disorganized the Administration is on this matter when, instead of spending time on coordinating the agencies involved with drug interdiction, they are putting more and more emphasis on scare tactics aimed at the victims of drugs.

I don't condone drug use by anyone. And, I recognize drug testing for some types of workers is appropriate and reasonable. However, this Administration's new scatter-gun approach to drug testing is an admission of its own failures to stem the flow of drugs into the country in the first place. Moreover, the country's chief law enforcement officer seems inclined toward firing that gun from the hip—last month at federal employees and again last week at probationary teachers. The Attorney General has made an already slippery slope even more precarious. I am concerned that his preoccupation with drug testing will cause him to lose sight of our primary mission—to stop the enemy, drugs, before they reach our people.

We need to fight this war on several fronts. The home front demands stiff penalties for trafficking and an effective educational program. The international front requires cooperation with countries where most drugs are grown to encourage them to undertake efforts to cut off the supply at the source.

What we are looking at today is the important matter of stopping the drugs shipped from other countries from reaching the U.S. market. The Congress and the public will not tolerate anything other than a well coordinated drug interdiction system that uses the very best we have to offer in the way of technology and logistics. This calls for clear direction from the highest levels of government and again I commend you, Mr. Chairman for making sure that this clear direction is forthcoming.

Senator PRYOR. I have two or three questions. One, in fiscal year 1986, DOD increased in-flight hours in support of airborne surveillance by some 52 percent over 1985.

What results, hopefully of a positive nature, can you tell this Committee this increased surveillance by 52 percent accomplished?

General OLMSTEAD. I can provide the Committee the exact statistics on credits that our airborne surveillance aircraft have gotten for their contracts.

[The information referred to was marked Exhibit No. 13 and may be found on p. 466.]

General OLMSTEAD. The increased number which you referred to, Mr. Pryor, is probably due in a large part to the increased awarness of our air surveillance community, whether it is the AWACS, the E-2C or the OV-10, which is also flying.

Our military, who are in these type of operations in potential areas of conflict with the narco trafficontes are more aware each year of their capability.

We do provide, and of course, we do not get into the apprehension business; we have to hand off to a law enforcement agency. So when we have a profile type aircraft or a profile type surface ship that we uncover, we will turn that over to Customs, the Coast Guard or one of the other law enforcement agencies.

Some credit. There is some bit of an audit trail, probably not as complete as I would like to see it, because I would like to see the Department of Defense get credit for their part in it. We don't get 100 percent coverage, because some of the very immediate reactions, but I would certainly provide the statistics that we have and the number of planes.

Senator PRYOR. General Olmstead, on this point, when your people do discover, let's say, a ship or a boat or aircraft and you turn that over, is that to Coast Guard or to who?

General OLMSTEAD. We can turn it over to any one of the law enforcement agencies, sir.

Senator PRYOR. When you find such an aircraft or a boat or a ship and you turn it over and you report it, how fast and how efficient, then, do you think that follow-up is made and some inspection of that vessel or aircraft is accomplished?

General. OLMSTEAD. I think that if we give the profile of the aircraft or of the ship, say, to the Coast Guard, the Coast Guard will make their contact very quickly or the Customs will make their contact. I think that hand-off is efficient, to answer your question specifically. I think it is an efficient hand-off.

Senator Pryor. A question for both of you: Do you think the military is being called upon sufficiently to deal with this problem? Would you like more involvement or less involvement in the war on drugs?

General Olmstead. That's a very tough question. I would have to tell you, Senator, I don't think anybody is more attuned to the horrors of drugs and the effect on young people than General Lary and myself.

Our population averages 23 years old. It's right in the middle of the drug vulnerable group, and the services are very attuned to that problem. We are very upset about what goes on in the drug world.

But I would also recognize what we get paid for by the people of America, and that's for the defense of our country against armed aggression. Today, that is an almost instantaneous type of threat.

The youngsters that are manning the flight line in Texas or getting ready to go aboard the ships in Norfolk, they have to be a heck of a lot quicker than I was when I first came in. So being ready is the primary mission of the national security.

Recognizing what the law says about the illegality of us arresting and apprehending, we think that we are making a tremendous contribution as an additional duty, if you would. That contribution has increased considerably in recent years.

Senator Pryor. But my question is this: Do you want more involvement in this war on drugs or less involvement?

General Olmstead. I would say that the Department of Defense has to be reactive to what the law enforcement agencies want. They have got to come to us with requests, and we take those requests, and we balance them. I can't say that we want more involvement, because I don't know what the requests are.

Senator Pryor. General Lary?

General Lary. I think I am in a bit different position in my piece of the DOD. In my job, strategic defense, we are really talking about the big Russian attack. That is almost mutually exclusive from the drug war. I can afford to spend more time in the drug business without it interfering with my primary job than the other commanders can do. So I can afford to do more. I think we have the mechanism to do it now, and we are doing it.

But I am very comfortable with the things that we do, number one, we have the right to do them, the authority to do them; and I think that we can provide; or continue with that relationship with Customs or the other agencies.

But we can do that pretty much without having to fall back and say it's interfering with readiness and training. To some extent, the command and control that I go through to assist Customs or the Coast Guard is a command-control where my young captains and sergeants can do the same kind of thing against drug targets that they might do against a cruise missile. So I am in a little bit more focused position to say yes, I am comfortable with what we are doing.

I think we are assisting quite well given the assets that we have to deal with. Probably as we get more involved, we can do more. I don't think it is going to require any additional legislation to allow me to do more.

General OLMSTEAD. Mr. Pryor, if I can give you a non-general officer answer?

Senator PRYOR. Yes, sir.

General OLMSTEAD. I asked the same question of a young Navy lieutenant pilot about two weeks ago. He says he enjoys the participation in the war, but they are about maxed out, the time he is putting on it.

Senator PRYOR. He enjoys his participation, but——

General OLMSTEAD. He gets a sense of participation in doing something valuable, but he is about maxed out on the time that he can dedicate in his flights to that, the drug war.

General LARY. From the ground radar standpoint, we are going to be there anyway; if our own activity is light, we can certainly do some assistance as well. A different picture than the active participation we are talking about.

Senator PRYOR. Thank you, Mr. Chairman.

Senator NUNN. Thank you very much, Senator Pryor.

I want to pursue that just briefly. General Olmstead, you mentioned that you are not empowered by law to apprehend and to arrest. Do you seek that authority? Do you believe that military ought to have that authority?

General OLMSTEAD. Under no circumstances, no, sir.

Senator NUNN. Would you tell us why?

General OLMSTEAD. I believe that this country's, one of its greatest traditions and strengths is that the military is responsive to the civilian authority and that we do not allow the Army, the Navy and the Marines, the Air Force, to be a police force. History is replete with countries that have allowed that to happen. Disaster is the result. One of the strengths of Democracy is that our army, and I speak of the entire armed forces, now, is responsive to the civilian leadership, to include the law enforcement.

Senator NUNN. Do you believe the Coast Guard is the appropriate agency, with its historic Federal law enforcement role, to bridge the law enforcement military gap and to be aggressive in their own drug efforts?

General OLMSTEAD. Oh, yes, sir. I think the Coast Guard has a superb community. They have a fine history of proceeding with law enforcement activities. I think they are a good outfit to work on this.

Senator NUNN. Did you people take a look, General Olmstead, at the bill we had a debate on that basically would have given the President 90 days to use military forces to seal off the borders of the United States' land and water?

General OLMSTEAD. Yes, sir, we looked at it very carefuly.

Senator NUNN. I think we put in our military authorization bill a requirement for you all to assess the requirements that that would bring about so we would be prepared to debate it this year. Is that assessment underway?

General OLMSTEAD. Yes, the Congress did require in the Anti-Drug Abuse Act of 1986 that we do that. We have provided a 90-day report to the Congress already, and we are preparing the 180-day, which is the President's response, which is due in May, May of this year, sir.

Senator NUNN. Could you summarize the implications for that kind of military requirement?

General OLMSTEAD. If we had to respond to the amendment as it was proposed last October, it would have take a tremendous commitment of our forces.

For example, we would have had to commit over 90 infantry battalions.

Senator NUNN. Ninety infantry?

General OLMSTEAD. Ninety-six, yes, sir.

Senator NUNN. Out of how many total?

General OLMSTEAD. I'm not sure how many there are, sir. It's an impressive number.

Senator NUNN. How many division is 90 battalions?

General OLMSTEAD. We are looking at our internal numbers; it is 10 infantry divisions. That is an impressive number.

Senator NUNN. That is about——

General OLMSTEAD. Everything.

Senator NUNN [continuing]. Everything. [Laughter.]

General OLMSTEAD. Sir, almost 110 AWACS aircraft would be required.

Senator NUNN. How many AWACS aircraft do we have?

General OLMSTEAD. Thirty-four, sir.

Senator NUNN. Well, we would have to produce—we would have had to produce what, 56 AWACS in 90 days?

General OLMSTEAD. Sixty-six AWACS, sir. I think the intent was probably well meaning and one of frustration, but as the Senator points out, it is not too realistic, sir.

Senator NUNN. That 90-day report, that is already here?

General OLMSTEAD. Yes, sir, that is at the Congress now.

Senator NUNN. What is the difference between that 90-day report and the 180-day report?

General OLMSTEAD. The 90-day report is a report that the Secretary of Defense is required to give an accounting to the Authorization Committees. The Authorization Committees will look at the report for 30 days. With their approval, we in the Department of Defense will be told which assets that the Authorization Committees think should be made available. Then we will call in the law enforcement agencies in conference and try to figure out how we can work on it. That process, we have not gotten the go ahead yet from the Authorization Committees.

Senator NUNN. I originally offered that law to waive the posse comitatus act for military cooperation but stopped short of giving the power of arrest. I guess what you are saying, if I'm not putting words in your mouth, we have got about the right balance in law now?

General OLMSTEAD. I think so.

Senator NUNN. Or do we need changes?

General OLMSTEAD. Well, Mr. Chairman, I took a rather unscientific poll of some of my law enforcement colleagues. I think there is an impression that the typical sailor, Marine or airman is already a standard law enforcement officer. I know in the Marine Corps, I think our basic training is proably the longest, ten weeks. I asked my colleagues in the FBI and in Customs and in Border Patrol, "How does this line up with your training of basic patrolman?"

and I got anywhere from 18 months to two years for somebody who is qualified.

Senator **Nunn**. To make arrests?

General **Olmstead**. To make arrests and to go to court.

Senator **Nunn**. It is a different kind of training when your job is to kill somebody than when your job is to arrest them, right?

General **Olmstead**. I think we train them for the former pretty good, now, sir.

Senator **Nunn**. But that is a fundamentally different role, sir, isn't it?

General **Olmstead**. Yes, sir, I agree.

Senator. **Nunn**. Senator Pryor, do you have any more questions?

Senator **Pryor**. I missed out, Senator Nunn, on the earlier part of the hearing. I am sorry I did. Let me just touch on coordination.

Senator **Nunn**. We are going to have some more witnesses on that particular point.

Senator **Pryor**. The DEA and FBI?

Senator **Nunn**. We are going to have some more witnesses.

Senator **Pryor**. Did these witnesses talk about coordination?

Senator **Nunn**. General Olmstead addressed that real briefly, but go ahead.

Senator **Pryor**. Or lack of it. My geuestion is very simple.

Where is the coordination effort breaking down? I sense that it has broken down between the agencies, and in fact, if you want to do that in writing and give us some suggestions as to how the coordination has broken down that would be acceptable.

Senator **Nunn**. Senator Pryor, if we could get that in, we could get it in General Olmstead in writing. We are going to be hearing from Mr. Stephen Trott, and Mr. Trott is going to give us all the answers on coordination. [Laughter.]

He has been put on notice; he knows we are going to ask those questions.

Senator **Pryor**. I noticed a sigh of relief on General Olmstead's face. [Laughter.] So I will withdraw that, Senator.

Senator **Nunn**. I believe he said that the learning curve was being expanded?

General **Olmstead**. It is ascending, yes, sir.

Senator **Nunn**. It hasn't reached its peak yet?

General **Olmstead**. No, sir, not yet. It will.

Senator **Nunn**. Thank you very much. We appreciate your being here. Thank you.

Our next two witnesses are Mr. Oliver B. Revell, the Executive Assistant Director of Investigations for the Federal Bureau of Investigation and Mr. Thomas Byrne, the Deputy Assistant Administrator for Intelligence of the Drug Enforcement Administration. Gentlemen, if you will hold up your right hand, we swear in all witnesses before the Subcommittee.

Do you swear the testimony you give before the Subcommittee will be the truth, the whole truth and nothing but the truth, so help you God?

Mr. **Byrne**. I do.

Mr. **Revell**. I do.

Senator **Nunn**. We thank both of you for being here this morning. We know you have probably followed and had some people following these hearings. We are very interested in getting your views on the roles of your agencies and also the overall challenges and problems we face in coordinating these efforts. So we would be delighted to get your testimony and then we will have questions.

TESTIMONY OF OLIVER B. REVELL, EXECUTIVE ASSISTANT DIRECTOR OF INVESTIGATIONS, FEDERAL BUREAU OF INVESTIGATION[1] AND THOMAS BYRNE, DEPUTY ASSISTANT ADMINISTRATOR FOR INTELLIGENCE, DRUG ENFORCEMENT ADMINISTRATION [2]

Mr. REVELL. Thank you, Senator. I have a full statement, but I will submit that for the record and summarize it, if that will be all right.

Senator NUNN. That will be fine. Without objection, your entire statement will be made a part of the record.

Mr. REVELL. Thank you. Your letter of invitation specifically invited testimony on the effects of the U.S. Customs Service to coordinate their C3I proposal with the FBI and how such a program would best be integrated into our current drug enforcement efforts, as well as the proposed development of the All Source Intelligence Center.

Let me start off by talking briefly about the interdiction program and the impact of the C3I centers. The interdiction program has become more aggressive and viable in the last few years, with emphasis turning to multiagency operations against drug smugglers at specific times and in geographical regions where the threat is determined to be the greatest.

However, the interdiction of drugs at our borders only addresses a small portion of the drug problem in the United States. Seizing the drugs and arresting low-level transporters has a minimal, long-term impact when the producers, distributors and managers of the organizations are not identified and prosecuted. The complete range of law enforcement and intelligence community assets should be fully utilized in the fight against drugs and narcotics. A balance should be sought among the interdiction efforts, inteligence collection, and the domestic and foreign investigations.

[At this point, Senator Trible entered the hearing room.]

Mr. REVELL. The intelligence collected from investigations in the United States and overseas can effectively focus interdiction efforts, and the intelligence gained from interdiction seizures should be used by the investigative agencies.

In connection with their authorization to establish a tactical center in Texas as part of the C3I network, the Customs Service contacted the FBI in September of 1986 and requested copies of a computer software program that we were developing for EPIC. The Customs Service requested this software package to support Operation Alliance from the Houston Center. That, of course, is a coordinated multiagency effort against drug smuggling along the southwest border.

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[1] See 328 for Mr. Revel's prepared statement.

[2] See p. 346 for Mr. Byrne's prepared statement and attachments.

We were unable to provide the software to them, but we did furnish it to EPIC, where it is available to the Customs Service and is part of the overall EPIC tactical interdiction coordination effort.

The FBI and the Customs Service each have an intelligence program devoted to drug law enforcement, and these programs serve each agency's particular tactical, operational and strategic intelligence needs in support of interdiction and/or investigative programs.

If I might, I would like to define for the Committee the way that we view intelligence from the tactical, operational and strategic vantage point.

Strategic intelligence is evaluated information on broad patterns and trends to be used by policy-makers and management decision-makers. Tactical intelligence is actionable information on current and imminent location and movement of particular drug targets and smugglers, and it requires a near-term law enforcement response to effect arrest and/or seizures; and then third, operational intellgence is a term used by the investigative agencies. It refers to information gathered to provide analytical support to particular investigative or prosecuting processes as opposed to the specific incident or attack or mission.

The establishment by the Customs Service of the C3I centers is intended to provide tactical coordination for interdiction efforts only, as I understand it. Now, EPIC was established in 1974 as a multiagency system for the provision of tactical information for the entire border interdiction process.

EPIC has developed into a fully functioning, coordinated intelligence system supported by the respective data bases and personnel from nine Federal agencies and with access to all 50 states as far as their law enforcement organizations are concerned.

The primary objective of EPIC is to provide a complete and accurate intelligence picture of drug movement by land, sea and air throughout the world.

The FBI views tactical coordination for regional interdiction efforts as a potentially important cog in the overall Federal drug strategy. The utilization of regional C3 centers can be a useful investigative dimension to the drug enforcement effort.

The way we would envision it is that when FBI field offices develop information concerning drug movements, this information would be passed to EPIC. Thereafter, EPIC would communicate with the C3 centers in order to obtain a commitment for tasking to intercept and, hopefully, seize the drugs.

In certain situations, it would also be beneficial to allow the drugs to enter the United States for further investigative effort, and that should be coordinated through the C3 centers.

We believe that the C3 centers would likely evolve as a principal user of intelligence from EPIC itself. Since EPIC possesses no tasking resources to engage in their interdiction efforts, these C3 centers could provide the Coast Guard and Customs with the means to respond to operational tasking from the investigative agencies.

If I might, I would like at this time to comment briefly on the proposal for an All Source Intelligence Center. This concept envisions a national center located in Washington, D.C. for the collection, analysis and dissemination of strategic intelligence concerning domestic drug investigations, foreign counter-drug efforts and other types of drug-related information.

The all source center will be such that is would use the full range of intelligence gathered by the intelligence community, and it would be integrated with related law enforcement data and collated to provide a comprehensive analysis of world, regional and national drug-related intelligence.

The All Source Intelligence Center would be responsible for developing strategic intelligence which would enable the national decision makers and the participating agencies to develop and implement long-range strategic plans for counter-drug efforts.

In this context, the participating agencies would provide the All Source Center with their intelligence requirements, and the All Source Center would, in turn, develop data collection requirements for participating agencies.

Upon receipt of intelligence, the All Source Center would perform required analysis and distribute the finished intelligence to participating agencies on a need-to-know basis as well as to the national decisionmakers. The FBI's proposal for the All Source Center has been referred to the Intelligence Subcommittee of the National Drug Enforcement Policy Board, which is chaired by Jack Lawn, the Administrator of DEA.

Mr. Chairman, it would not be in conflict with either the mission of EPIC or the C3I centers as proposed by Customs.

Thank you, sir.

Senator Nunn. Thank you.

Mr. Byrne, before you go to your statement, could you comment on that proposal by the FBI about the national center of Washington-based center for All Source Intelligence? Has DEA signed off on that one?

Mr. Byrne. As Mr. Revell indicated, it is in the hands of the Subcommittee on Intelligence on the Policy Board.

Senator Nunn. What is DEA's position on that? What is your personal view?

Mr. Byrne. Well, I really don't think I could come up with a personal view now until the study is completed.

Senator Nunn. What about DEA? Have they offered a view? Does DEA have a position? Do they agree with it?

Mr. Byrne. In the concept of a strategic intelligence requirements, yes; yes, sir, we believe it is very necessary to the nation.

Senator Nunn. Are you in favor of the proposal that Mr. Revell just outlined at DEA?

Mr. Byrne. I think it's certainly something that should be studied, and it is.

Senator Nunn. Are you in favor of it?

Mr. Byrne. Until the study is completed, sir, I don't see how I can answer.

Senator Nunn. Has DEA not commented on it before the Policy Board? DEA doesn't have a position?

Mr. Byrne. Mr. Lawn, as the Administrator of the DEA, is the chairman.

Senator Nunn. Are you trying to tell us you aren't authorized to tell us anything on that?

Mr. Byrne. No, sir. It is under study.

Senator NUNN. Has DEA submitted a position to the Policy Board on that proposal?

Mr. BYRNE. No, sir, we haven't.

Mr. REVELL. No.

Senator NUNN. You have not?

Mr. BYRNE. No.

Senator NUNN. So it is strictly up to the Policy Board?

Mr. BYRNE. As I said, it is under study by the committee chaired by Mr. Lawn.

Senator NUNN. What is the difference between what you are proposing, because I thought DEA already had something like this in place? You don't have anything like this? Is this right?

Mrs. BYRNE. We do have a strategic intelligence section.

Senator NUNN. What does it do?

Mr. BYRNE. Generally, tries to make some kind of judgments as to what the drug problem is, domestically and foreign.

Senator NUNN. Well, what would the Revell proposal, the FBI proposal do that you do not now have?

Mr. BYRNE. As I understand the proposal, it's designed or the concept would be to bring it all into one place. As it goes now, there are many, many agencies involved in the collection and contribution to the national drug picture.

Senator NUNN. Would this include, Mr. Revell, the EPIC intelligence coming in?

Mr. REVELL. The All Source Center would have access to EPIC, tactical and organizational intelligence, but it would also have access to the intelligence community and would develop finished intelligence assessments and long-range projections.

It would not be tactical. So it would be more of a support function for EPIC than vice versa, but we see there being an exchange of information, because there is always a merging of tactical and strategic intelligence at the boundaries of these two types of intelligence. They certainly are not mutually exclusive. I think it would be very supportive.

The All Source Center would be totally supportive of DEA's role as the lead agency for narcotics enforcement. Our proposal does not envision changing that responsibility. What it does envision is bringing into one location the capabilities of all U.S. government agencies in the process, including the CIA, National Security Agency, FBI and others to assist in this process.

[At this point, Senator Sasser entered the hearing room.]

Mr. REVELL. So it is not a matter of concern over the direction or lead in this process; it is a matter of bringing it together.

Senator NUNN. Mr. Byrne, why don't you go ahead with your statement? We will come back to questions.

Mr. BYRNE. Mr. Chairman, I am pleased to be here before the Subcommittee this morning, and I have with me Larry Orton, who is the Special Agent-in-Charge of the El Paso Intelligence Center. I have a prepared statement which I would like to submit for the record and read briefly from it.

Senator NUNN. Without objection, your entire statement will be made part of the record.

Mr. BYRNE. Thank you, Mr. Chairman. I am pleased to appear before you today to discuss the role of the Drug Enforcement Administration and specifically, the El Paso Intelligence Center in the development of both tactical intelligence and the process in which that intelligence is shared with the law enforcement community.

I am prepared to discuss the coordination which has taken place between DEA and the U.S. Customs Service relative to that agency's development of C3I centers.

As a result of the reorganization plan number 2 of 1973, DEA was created to be the lead agency for drug enforcement and was also charged with the responsibility to provide intelligence data to interdiction agencies as well as to other Federal, state and local law enforcement agencies.

The interdiction agencies are, primarily, the U.S. Customs Service and the U.S. Coast Guard. Over the ensuring 14 years, DEA has closely coordianted with these agencies regarding their intelligence needs and the methods by which we can provide authoritative intelligence to them in a usable and timely manner.

This coordination cannot be categorized in terms of the number of meetings held between our agencies or in the numbers of memoranda of understanding. Rather, it is more accurate to describe the coordinative process as being a constant and continuing dialogue.

The development of intelligence, both tactical and strategic, is a priority mission of DEA personnel throughout the United States as well as around the world. The focus of our tactical intelligence collection and sharing efforts is the El Paso Intelligence Center.

In 1974, DEA established the El Paso Intelligence Center, the original purpose being to provide tactical law enforcement intelligence to drug enforcement agencies in their battle with Mexican and aliens drug trafficking. With the decline of the drug traffic from Mexico in the mid-seventies and the upsurge of Colombian drugs being imported into the United States, EPIC's strategic tactical mission was standardized to include geographical support the investigations and interdiction area.

After the establishment of EPIC and its proven viable approach for supporting both interdiction and investigations, other Federal agencies were then invited to participate on-site at the center. Today, nine Federal agencies in addition to DEA have personnel assigned to the around-the-clock center.

Those agencies are: The Federal Bureau of Investigation; Immigration and Naturalization Service; U.S. Marshals Service; Bureau of Alcohol, Tobacco and Firearms; Internal Revenue Service; Federal Aviation Administration, U.S. Customs Service; U.S. Secret Service and U.S. Coast Guard.

Also, DEA has signed cooperative intelligence exchange agreements with the state police in 50 states, Puerto Rico and the Virgin Islands.

Currently, EPIC is a centralized system employing the combined resources of law enforcement and the intelligence community to coordinate tactical drug interdiction intelligence gathering and analysis, police the quality and consistency of the intelligence reporting and to disseminate the intelligence through all appropriate users.

The Center consists of two primary operational sections, one for Watch Operations, which is 24 hours a day, seven days a week; the Analysis Section, which operates during normal duty hours. EPIC's Watch is manned by the agents and officers of the participating

Federal agencies whose purpose is to service field agents' needs for around-the-clock intelligence support.

This support is rendered through three basic mechanisms: Performing records checks of the various data bases available at EPIC; disseminating time sensitive tactical air interdiction efforts and placing look-outs with such agencies as the Coast Guard, FAA, INS and Customs Service on behalf of field investigaters of other Federal and state agencies.

The analysis section offers a full range of research, analytical and data retrieval services for the user agencies and is organized around transportation methods. The analysis section provides a variety of services to EPIC member agencies, falling primarily into two categories: finished intelligence products, including publications, and special operations support.

The EPIC facility is presently located in leased commercial space within the City of El Paso. The current location is not suitable to allow operations to significantly expand, and security at the site is not optimum.

If EPIC is expected to enhance its operations through additional personnel and hardware, then a new facility is mandatory. After much consideration, it was decided to relocate and construct a new All Source Tactical Drug intelligence facility on the Army base at Fort Bliss, Texas.

The Department of Justice Appropriation Act provided $7.5 million to DEA for this purpose, and construction should begin soon. A new structure will contain in excess of 57,000 square feet and is designed to allow for future expansion of up to twice that size. In addition, the Fort Bliss site will provide better security, and it will be located on a military reservation with access control to the site.

At present, EPIC is co-located in a commercial building with non-government offices, and the building is situated on a major thoroughfare. EPIC tracks the flow of conveyances carrying drugs, weapons and aliens into the United States and develops related intelligence from this information. EPIC views the intelligence pertaining to the interdiction in drugs, weapons and aliens as interrelated in order to develop a comprehensive perspective of trafficking types.

It is this coordinated approach which encourages the continued participation of the Federal agencies, and during 1986, EPIC logged 363,000 transactions. EPIC transactions have increased 92 percent between fiscal year 1982 and fiscal year 1986.

With the expected increase in Federal participants and corresponding EPIC manpower increases for these agencies, it is anticipated that transactions and intelligence products will increase at the level commensurate with that experienced during the past four fiscal years. Dramatic increases anticipated concurrent with increased law enforcement emphasis, armed detection and apprehension of traffic is using aircraft. New and enhanced data systems will increase EPIC's speed, allowing a larger number of responses to be processed in a shorter period of time.

Thirteen years of interagency cooperation have produced a unified tactical intelligence center, duplication of which is neither justifiable nor possible. EPIC was a unique concept in 1974 and is a unique reality today. We are able to make a further enhancement of EPIC, and I am prepared to respond to any questions, Mr. Chairman.

Senator NUNN. Thank you, Mr. Byrne.

Let me ask you on that point about EPIC, what, if any, intelligence will be available through the Customs Intelligence Center that is not now available through EPIC? What are we adding to our intelligence capability?

Mr. BYRNE. To?

Senator NUNN. The Customs, the Customs C3I centers? What dimension are they adding to the overall intelligence that EPIC now does not cover?

Mr. BYRNE. The customs Intelligence Center will be drawing upon EPIC intelligence information.

Senator NUNN. Well, they must be adding something. What are they adding to the overall intelligence? What dimension is Customs intelligence going to cover that EPIC does not cover now?

Mr. BYRNE. The way I understand it, Senator, the addition would be an increased radar tracking.

Senator NUNN. What does that radar tracking tell you? Is that tracking airplanes?

Mr. BYRNE. Airplanes, yes, sir.

Senator NUNN. EPIC doesn't track airplanes now?

Mr. BYRNE. Not by radar, no, sir.

Senator NUNN. How do you track them?

Mr. BYRNE. We have several systems, starting with informants and going to tracking off of flight plans.

Senator NUNN. Has there ever been a proposal for a thought of having EPIC, since it is already coordinating, do the radar in addition to what it is doing now? Is that impossible?

Mr. BYRNE. It was discussed at one time, yes, sir.

Senator NUNN. Did anybody ever propose it?

Mr. BYRNE. Yes, DEA proposed that one time.

Senator NUNN. Where would you do that from? Would you have different centers, or would you use the same source and put out balloons and convey the data in? How would you do it?

[At this point, Senator Chiles entered the hearing room.]

Mr. BYRNE. We didn't really look into it. It was just thought at one time that it might be possible, but we didn't look into it.

Senator NUNN. Did anybody oppose it at that time?

Mr. BYRNE. The general concept was not taken.

Senator NUNN. Who opposed it?

Mr. BYRNE. The entire EPIC advisory board was against it.

Senator NUNN. The people in DEA were opposed to it then?

Mr. BYRNE. Some people in DEA were opposed to it, yes, sir.

Senator NUNN. I am just trying to grasp here, why are we having a new effort? Why haven't you incorporated within EPIC the additional dimension of radar?

Mr. BYRNE. Senator, the problem becomes——

Senator NUNN. There must be some problem.

Mr. BYRNE. Yes, there is, and it goes into command and control of assets, and it is a question of a proper role of an intelligence agency or entity as to what the role of an intelligence agency is. We should and most feel, and I tend to agree with it, the intelligence should remain just that, intelligence, and let the operators or the commanders of the assets, based on that intelligence, determine how to best employ it.

Senator NUNN. So you are saying you don't think the radar should be connected with EPIC?

Mr. BYRNE. No, sir, I don't think so.

Senator NUNN. Let me ask both of you this. The Customs Service has been planning development of C3I since 1984. Have you, Mr. Revell, and FBI been involved in that? Have you been coordinated with?

Mr. REVELL. No, sir. As I pointed out, we didn't see the letter, I believe it was last October, asking for some support on the systems, software systems for use in Houston. We have not been consulted with on the development of the C3I concept. We have been present since it was proposed in legislation and passed in legislation. At the Coordinating Committee this has been discussed.

Senator NUNN. Before that legislation passed last year you weren't involved?

Mr. REVELL. No, no, sir.

Senator NUNN. Do you have any reason why not? You think you should have been in.

Mr. REVELL. I think it might have been helpful to Customs to get our perspective, since we will provide, along with DEA, most of the prior intelligence that would help in designing the response capability of the system.

Senator NUNN. Mr. Byrne, how about DEA? When were you contracted by Customs about this plan?

Mr. BYRNE. We were contacted in November of 1986.

Senator NUNN. You were notified after the legislation passed.

Mr. BYRNE. Yes, sir.

Senator NUNN. Not before that?

Mr. BYRNE. It was mentioned at one or two EPIC meetings.

Senator NUNN. Was there any coordination effort? Was your input sought?

Mr. BYRNE. No, sir.

Senator NUNN. Do you know why?

Mr. BYRNE. No, sir.

Senator NUNN. Should it have been?

Mr. BYRNE. Well, it was in November.

Senator NUNN. Well, simple question: Do you think it should have been before then? Do you think everything was fine, or do you think coordination efforts should take place, or is everything just wonderful?

Mr. BYRNE. Sir, at this point, there really is no concrete plan even at this date. So I don't know earlier or later. I think as it's being developed now, we are involved.

Senator NUNN. You are involved. My question is: Should you have been involved before 1986, late 1986? Shouldn't DEA have been coordinated with in terms of what was being planned?

Mr. BYRNE. At this point, EPIC is being tasked to provide service, and whether we were asked earlier or not, I don't think——

Senator NUNN. You just don't want to answer, is that it? Or you don't have an opinion? Or DEA is afraid to say anything? What is going on here? You either have an opinion or you don't.

Should the drug agencies coordinate their efforts to provide C3I, or do you want to turn it over to Customs?

Mr. BYRNE. I think it would have been more helpful to coordinate it earlier.

Senator NUNN. Thank you.

Senator Pryor, do you have some questions?

Senator PRYOR. Let me, for the moment, yield, Mr. Chairman, because we have two or three of our colleagues who have not had an opportunity to ask questions. I might have a couple later on.

[At this point, Senator Trible withdrew from the hearing room.]

Senator NUNN. I think Senator Sasser came in next.

OPENING STATEMENT OF SENATOR SASSER

Mr. SASSER. Thank you, Mr. Chairman, and thank you, Senator Pryor.

Mr. Chairman, I ask unanimous consent that my opening statement be included in the record.

Senator NUNN. Without objection.

[Senator Sasser's statement follows:]

STATEMENT OF SENATOR SASSER

Mr. Chairman, I want to commend you for holding these hearings on the need for more effective coordination in Federal drug interdiction efforts.

We are simply never going to win the war against drug traffickers unless and until the Federal agencies concerned with drug interdiction begin to effectively coordinate their efforts.

In recent testimony before the subcommittee, we already have witnessed conflicting statements by the head of the Coast Guard and the head of the Customs Agency about who has "lead" responsibility for drug interdiction efforts in the southeast.

Today, we will receive testimony from the Chairman of the National Drug Enforcement Policy Board stating that they are in the best position to allocate Federal resources to allocate drug interdiction funds. At the same time the Office of Technology (OTA) report on drug interdiction, speaking of the Drug Enforcement Policy Board, states that decisionmaking by the board is only done by consensus, decisionmaking is very slow in occurring, and very little comprehensive interdiction planning is done by the board and other coordinating agencies.[1]

I might note for the record that the National Drug Policy Board has at least 16 members, 12 of whom are cabinet officers. The Board is serviced by two coordinating groups, each of whom have a similar number of senior level officials and just within the last 6 months, the drug policy board has created another three separate interagency working groups to examine selected issues relating to drug interdiction.

Indeed, it appears to me that while the criminals are busy trafficking in drugs to the tune of $50 billion in sales every year, the Federal response has been to traffic in memoranda and interagency understandings as to who should have the responsibility for stopping the drug smuggler.

I do not doubt for one moment the courage and dedication of those in the front lines, in the Coast Guard cutters, in the Customs planes, at the Drug Enforcement Agency's intelligence center and the like. Day in and day out, under trying circumstances, these personnel do their very best to stop the flow of drugs into this country.

But let's face it. Leadership has to start from the top. We must have the capability to put together a swift response to the drug smuggler.

We have to stop the drug smuggler at our borders and if he makes it past our borders, he must be pursued relentlessly.

That is not always the case today. These hearings, for me at least, are revealing a certain degree of interagency bickering over whose responsibility it is to stop the drug smuggler. This interagency conflict must end. The administration must come forth with a strong lead agency to handle the job in putting together a unified interdiction program.

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[1] Office of Technology Assessment, The Border War on Drugs (Washington, DC, p. 53).

Every day we lose in not putting together this interdiction effort, unfortunately provides another victory for the drug smuggler.

Senator SASSER. Let me just give you a couple of questions, Mr. Byrne and Mr. Revell. DEA's intelligence Center in El Paso has registered 24,000 suspicious aircraft. Is this information shared with the Defense Department and with Customs agents at this point?

Mr. BYRNE. Yes, sir. It's available.

Senator SASSER. Well, is the Department of Defense or Customs able to use this information to pinpoint their surveillance report, to your knowledge?

Mr. BYRNE. I don't fully understand you; pinpoint?

Senator SASSER. Are they able to locate the aircraft using your surveillance reports?

Mr. BYRNE. In some instances, yes.

Senator SASSER. In some instances no. Is that correct?

Mr. BYRNE. Well, yes. The 24,000 are suspect aircraft. Where their location is is another question.

Senator SASSER. If we tie the command, control and intelligence centers together as the Department of Defense is suggesting, what agencies should have the lead responsibility directing these agencies in a coordinated interdiction effort, in your judgment?

Mr. BYRNE. Well, Senator, on that, I would have to just point out, again, that the C3I issue is one that is being studied by the Policy Board right now.

Senator SASSER. And DEA just doesn't have any opinion on that?

Mr. BYRNE. I don't think I could really announce an opinion until the study would be completed.

Senator SASSER. It has been noted that there are 37 agencies involved in some way in this, in our war against drugs, and they are supervised by a 17-member Policy Board, which has several coordinating committees. Now, it appears to me that in our so-called war on drugs and trying to interdict these drugs that we are just creating a bureaucratic nightmare here and what would appear to be just a blizzard of paper with memoranda.

Isn't this structure just too unwieldy?

Mr. BYRNE. Sir, it might be, but the 37 agencies each have individually legislated mandates, and the cohesion of all these agencies does need some type of coordination.

Senator SASSER. The object of all of this is to try to interdict drugs before they get into the United States. That is the goal. The goal is not to create a lot of agencies and a lot of interagency coordinating task forces, et cetera, et cetera.

So my question is: How can we possibly have a unified and prompt attack against drug trafficking with all of these agencies involved in it? Don't we need to change the statute so that we designate lead agencies and get into a lean and mean operation here where we can have a well-coordinated effort against these people who try to bring drugs into the country?

Mr. BYRNE. Well, sir, as far as interdiction is concerned, I don't believe it's the goal of all 37 Federal agencies to be involved in interdiction. I think we look at the broad spectrum of drug abuse, and one faction of that is the interdiction role, and there aren't 37 agencies involved in that.

Senator SASSER. One of the problems we have in drug interdiction, if I am not misjudging what I have heard here in the hearings that we have had heretofore, is a lack of coordination, a competition among agencies, perhaps even a failure to share information; isn't that an accurate assessment?

Mr. BYRNE. Well, as far as an accurate assessment, I can't agree, at least from DEA's perspective. If we have information in DEA or in EPIC that is of value to the interdiction effort, that is put out; it's made available.

Mr. REVELL. Senator, let me comment on that. I have never seen a situation where we had information on an—intelligence information on a drug shipment that wasn't properly responded to on the high seas by the Coast Guard or within the territorial waters by Customs. I don't think there is a problem in the two interdiction agencies responding to the operational intelligence information that is developed.

The coordination of the broad spectrum of responsibilities is a problem, but it's being dealt with by the Policy Board now, and that is because additional responsibilities, additional resources are, in fact, being laid upon the agencies that have these particular responsibilities. But I have never seen a situation where an operational requirement was not filled by one of the two interdiction agencies.

Senator SASSER. Is it your view, Mr. Revell, that we do not have a problem with regard to the interdiction agencies and it is functioning smoothly?

Mr. REVELL. I think there is a problem in developing the command, control and communications process so that we can get the best utilization of additional resources that are being put into the mix.

I think that this is somewhat inherent in the traditional roles of the two interdication agencies and that there is a blending of their responsibilities at some point.

I think that is being worked out, and under our system of government, the agencies do have responsibilities that do overlap, both operationally and legislatively. That process, in my view, is being worked out, and these hearings are, in fact, I think, lending themselves to that process.

Senator SASSER. Do you disagree with OTA's assessment that decisionmaking is "usually slow", quoting from their report; quoting again, "very little comprehensive planning is done, for example, setting priorities among agencies or developing strategies needed for total interdiction system designs"?

Am I to take it that from your testimony, you disagree with the Office of Technology Assessment's assessment in this regard?

Mr. REVELL. I disagree with much of that report. I do specifically disagree that we do not have agencies capable of responding to tactical tasking. We do.

We do have a problem in coming together in a comprehensive strategy, and that process is now, I think, well underway. But I am certainly not going to sit up here and testify that everything is copacetic in the interagency mix, but we do have the cooperation at an operational level where information is being properly utilized in the interdiction process.

It's that cold hit process, the tracking of unknown targets, the tasking of what assets will be used against those suspect targets and the overall strategic deployment of resources where I think we still have some problems, and that's what's being worked on.

Senator SASSER. How can we go about more effectively putting pressure on these suspicious and suspect targets?

Mr REVELL. I think that the additional resources in the way of tracking aircraft, fixed radar, the tethered radar systems and additional responsibilities are being met.

Now, that doesn't mean that we're going to have a 100 percent comprehensive border control process; we are not. The majority of interdication, I think, comes from prior intelligence, so we have to blend all of these resources together into a process that gives us the best return for our available resource and our commitment.

Senator SASSER. So I am to take it from your testimony today, Mr. Revell, and I assume that of Mr. Byrne, that when the Office of Technology Assessment says, and I quote, "Fragmented command, control and jurisdicational responsibilities characterize the Fedaral drug interdiction enterprise and are a major impediment to the adoption of existing and new technologics for drug interdiction," that DEA doesn't agree with that assessment?

Mr REVELL. I am not going to speak for DEA. I think that there is an element of truth in that, but I think that it is also based upon a substantial increase in both access to resources, additional resources, and a tasking responsibility that is now being undertaken.

Mr. Trott can address that more in his capacity, but from the operating standpoint, I have never had an FBI mission, as far as interdiction, that has not been fulfilled by either the Coast Guard or Customs.

Senator SASSER. Thank you.

Thank you, Mr. Chairman.

Senator NUNN. Thank you, Senator Sasser.

Senator Chiles?

Senator CHILES. Thank you, Mr. Chairman. I think you asked a number questions that I was interested in about whether they had been consulted or not as we set this up. But I would like to ask; one of the jurisdictions given to our staff by the Customs Service for their creation their entire C3I system, as well as the national center in Oklahoma City, was the EPIC failed to provide timely tactical intelligence data.

Could you give us your thoughts on that? I would like to ask both of you.

Mr. BYRNE. Senator, I have heard that statement many, many, many times over the past few years, and I have looked into it, and I have asked for information from El Paso as to the veracity of it or the accurateness of it, and it's just not so. That any complaints that have been specific complaints, not generality, but specific complaints which have been lodged have been looked into and the timeliness was not a negative factor.

Senator CHILES. Mr. Revell?

Mr. REVELL. EPIC is limited; it does not have radar tracking; it does not have other types of surveillance capabilities; and it also has no command and control function. So those elements are not within the realm of EPIC's responsibility. That's the area where an additional national command structure is necesseary. But I think EPIC is fulfilling its role very well, and in its new expanded capacity, will do an even better job.

Senator Chiles. I guess we come back to the question, then; know, what is the C3I system going to do, and what is your understanding of the functions and definition of the intelligence portion of that system as opposed to what we now have?

Mr. Byrne. My understanding, sir, is that the radar tracking will be the new portion, and that the C3I will, among several other data bases, task EPIC for information to support the C3 system.

Senator Chiles. What, if any, intelligence will be available through the Customs Intelligence Center that is not already available through EPIC?

Mr. Byrne. The radars would be it.

Senator Chiles. The radar?

Mr. Byrne. Yes, sir.

Senator Chiles. That is all the questions I have.

Senator Nunn. Let me just ask both of you to address this question. What you are telling us is we need, really, three or perhaps four different intelligence networks in the drug business: We need EPIC; we need the Customs Intelligence Center with C3I; we need the FBI proposed All Source Intelligence; and we need all the military C3I, and they all need to be funded; is that right?

Mr. Revell. Senator, I'm not going to say what configuration. I think we need a C3 capability on the interdiction agencies. I think that should be a combined and coordinated function.

Senator Nunn. Is it being combined and coordinated?

Mr. Revell. Well, there is an agreement between Customs and Coast Guard to do so, but I again, am asked a question that Mr. Trott needs to answer. What we need from the investigating agencies is a capability of tasking the interdiction agencies and to receive from the interdiction agencies intelligence that they obtained through their interdiction process.

I think that is coming on line. As far as the El Paso Center, it is providing tactical intelligence on a broad range of subjects, not just interdiction. It is certainly providing information on aliens, smuggling, on potential terrorist targets, as well as information that is not incident specific but is more organizational in context than just a particular incident or a particular intercept.

So it does provide an on-going tactical intelligence capability. As far as the All Source Center, it would expand upon what DEA already has as far as a strategic intelligence process and would not ~~replicate or~~ duplicate any process that is already on-going.

I don't see them as being either mutually exclusive or contradictory in their particular responsibilities.

Senator Nunn. Mr. Byrne, do you see any duplication here, now, or overlap, unnecessary duplication or overlap with EPIC between Customs plans and EPIC?

Mr. Byrne. Sir, as it's been explained to us, the C3 will use the intelligence provided by EPIC in support of that mission.

Senator Nunn. Again, that is not my question.

Mr. Byrne. I am told that it will not in any way duplicate what the EPIC function is.

Senator NUNN. You are saying DEA is happy with the Custom's plans?

Mr. BYRNE. At this point, sir, according to what we have been told, the EPIC support through C3 is consistent with the EPIC mission.

Senator NUNN. Have you consistently, has DEA consistently been pleased with the Customs Service's plans for C3I?

Mr. BYRNE. We were not until we got an explanation as to exactly what they wanted to do.

Senator NUNN. When did you get that explanation?

Mr. BYRNE. During the meetings that we had over the past few months.

Senator NUNN. Is it true that you have been satisfied this year?

Mr. BYRNE. Yes, sir.

Senator NUNN. You were unhappy with it last year?

Mr. BYRNE. Until we had the meetings to discuss exactly what they wanted to do with the information.

Senator NUNN. Here is the seventh meeting minutes dated November 5th, 1986, and quoting from those minutes, this was a meeting between DEA and the Customs Service, and you are supposedly attending that meeting. It says, "The DEA representatives expressed strong concern over the possible overlap with and duplication of EPIC's responsibilities. There was considerable discussion about this. Customs' position was that there was not intent to encroach on EPIC's responsibilities but that there was a legitimate need for the C3I Centers to develop and use smaller scaled data bases. DEA did not agree with this."

Is that accurate?

Mr. BYRNE. Yes, sir. We were concerned about what was going to be done with the EPIC information and my question was, would it be replication or duplication of what the EPIC function was.

Senator NUNN. So now you are satisfied?

Mr. BYRNE. As it's been described to us, yes, sir.

Senator NUNN. What has changed your mind?

Mr. BYRNE. We have assurances from Customs that it was not their intent to duplicate or replicate anything that EPIC was presently doing but to use the information just as any other interdiction operation might.

Senator NUNN. Are you satisfied with the way the overall coordination is now being handled between the various agencies concerning drug enforcement? Is DEA satisfied with that?

Mr. BYRNE. The overall drug issue?

Senator NUNN. Yes.

Mr. BYRNE. Yes, sir.

Senator NUNN. The FBI isn't?

Mr. REVELL. I think that the Policy Board has to make some tough calls. I think it will make some tough calls. I think one has just been made on the Coast Guard/Customs interplay on the interdiction process. I think the Attorney General as Chairman is ready to make those calls, and I believe that we have a capability to do that. There will continue to be problems, because this is a very complex issue. Each agency has multiple responsibilities, and narcotics does not exist in and of itself; it is interdefined with many other illegal activities.

So the process itself requires very complex procedures, but I think that there is a focus, now, on a national level decision-making process.

Senator NUNN. In terms of the coordination of the Policy Board now, Mr. Revell, on a scale of 1 to 10, 1 being poor, 10 being excellent, where do you rate this coordinating board now in terms of its ability to coordinate?

Mr. REVELL. It is about 6 and coming up.

Senator NUNN. Where was it a year ago?

Mr. REVELL About 3.

Senator NUNN. Where was it two or three years ago?

Mr. REVELL. I think I have gone about as far as I should go in that regard.

Senator NUNN. Mr. Byrne, where do you rate it now, 1 to 10?

Mr. BYRNE. Sir, 6. [Laughter.]

Mr. REVELL. Who said DEA and FBI don't agree?

Senator NUNN. I knew the FBI was going to be dominant when they got in this business. [Laughter.]

Mr. BYRNE. Senator, certainly not a parody, but it is a very complex issue, and unfortunately, many people like to look to the problem for some solution.

Senator NUNN. But we have been sitting here hearing this for the last 14 years. I mean, I sat here in 1974 and 1975 and heard this same thing, "very complicated; complex; we have got all these problems; coordination is not working, but it's getting better; the curve is going up; it is going up; it is going up."

What was wrong two years ago? I mean, why didn't we have coordination then?

Mr. REVELL. We had coordination, but there was——

Senator NUNN. On a scale of 1 to 10, you said 3. I think that was a very frank answer.

Mr. REVELL. The coordination also has to do with, as I indicated earlier, with additional resources, additional responsibilities, and each agency vying for a piece of the action. That is sort of the natural bureaucratic process. Then the decision-making mechanism has to catch up with that process. It doesn't mean that the job is not being done. I'm not going to cite statistics, but there are more arrests, more convictions, more seizures across the board.

Senator NUNN. And the price of cocaine on the street is going straight down.

Mr. REVELL. That's right, and you know and all the Senators know that law enforcement in and of itself is not going to resolve the narcotics problem.

Senator NUNN. Right.

Mr. REVELL. But we are doing more, and we are doing more every year, and there is a substantial return on the investment. Unfortunately, until the American people turn around their attitudes, law enforcement is not going to stop the problem. We hope to hold it in check, and I think we are doing a better job of that.

Senator NUNN. You sound like you are endorsing some real educational effort.

Mr. REVELL. Absolutely. It is at least 50 percent of the problem, if not more, but law enforcement still has to do the job and try and do a better job and try to deny the drug market of the product. But

I don't think we should delude ourselves. No matter how much we spend, we are not going to solve it with a law enforcement solution.

Senator NUNN. Well, I agree with that. I agree with that assessment.

Senator Pryor?

Senator PRYOR. Mr. Chairman, I am very frustrated at this point to hear these two gentlemen testify, because I don't know right now whether I would vote for another penny to add another layer on to a, really, a bureaucratic nightmare; sort of a paper tiger that we have created here, and we call it the war on drugs.

Mr. Revell has just stated that it appears the natural bureaucratic process seems to have sort of dominated this whole issue. I don't want to put words in your mouth, but that is how I interpreted what you said.

This is deeply troubling to me, what I have heard here this morning. I am also pretty deeply troubled about what our own Attorney General seems to establish as a priority. Maybe I'm wrong. I could be very well wrong. But every time I see Attorney General Meese on television or read in the paper, just on the radio, he is always talking about going out and testing some new group, like the teachers, now.

I mean, he is talking about going out and testing teachers. Maybe I have it all backwards, but I think our approach is wrong here, and I think his approach is wrong. It is sort of trying to scare the victims rather than trying to scare the actual pushers and the smugglers and those who are making millions and perhaps billions of dollars in this business. I am real concerned about this paper tiger that we have created.

Mr. REVELL. Senator, I don't consider a drug user a victim, but I think that that is only one aspect of what the Attorney General is advocating, and I don't want to get into the political issues. I think Mr. Trott should do that. [Laughter.]

Senator PRYOR. Who should do that?

Mr. REVELL. Steve Trott. I do say that the Attorney General is very interested in the entire process. He has very staunchly supported the enforcement requirements. He is bringing together the agencies and seeing decisions are made.

I think he has, is providing very strong leadership in this area. I can understand the frustration, because we are all frustrated with the problem, but we are dealing with a problem that is intertwined throughout virtually all aspects of our society, and it doesn't have a simple solution.

The law enforcement agencies don't have the answer; they are only one part of the answer, and I think the most vocal thing or the most that I have seen, at least at the national level, is the recognition of the need for prevention and education treatment to go along with strong enforcement, and that is what I think in the future gives us a better opportunity to resolve the problem than we simply have through any enhanced interdiction or enhanced enforcement or any other activity. That is needed, but it's only part of the process.

[At this point, Senator Chiles withdrew from the hearing room.]

Senator PRYOR. I just don't know if the agencies and all the bureaucracies that deal with this have really ever established what the priorities are. Is it interdiction? Is it education? What is it? What is the priority?

Mr. **Revell**. We have established, as far as my organization, what our priorities are, but our priorities are only one part of the overall national strategy and only one part of the process.

Our responsibility is to investigate complex organized trafficking groups and organized crime groups involved in narcotics. But we want to aid and assist in the overall strategy which has multiple aspects.

Senator **Pryor**. Thank you, sir.

Mr. Chairman, thank you.

Senator **Nunn**. Thank you very much, Senator Pryor.

Thank you both for being here. We appreciate your testimony, and we look forward to continuing to hear from you as things develop.

Mr. **Byrne**. Thank you, Mr. Chairman.

Senator **Nunn**. Thank you.

Mr. Trott, I don't want to call you the shovel brigade here, but you have been given a lot of questions.

Mr. **Trott**. I am accompanied by Mr. Blau. I request that he be sworn in.

Senator **Nunn**. Will you both raise your right hands?

Do you swear that the testimony you give to the Subcommittee will be the truth, the whole truth and nothing but the truth, so help you God?

Mr. **Trott**. I do.

Mr. **Blau**. I do.

Senator **Nunn**. Not making you the victim here this morning, but we do have a lot of questions about the coordinated efforts and so forth. Why don't you give us your testimony? I know you have been here most of the morning. We appreciate your patience, and after you give your testimony, we will ask questions.

TESTIMONY OF STEPHEN S. TROTT, ASSOCIATE ATTORNEY GENERAL, U.S. DEPARTMENT OF JUSTICE, CHAIRMAN, COORDINATING GROUP, NATIONAL DRUG ENFORCEMENT POLICY BOARD [1]

Mr. **Trott**. Thank you, Mr. Chairman. I am chomping at the bit; I am ready to go; and I will stay here as long as you wish to ask questions of me. As you know, I chair the Policy Board Coordinating Group for the National Drug Enforcement Policy Board and what is soon to become the National Drug Policy Board. I have had the job of chairing that board since last September 1986.

Senator **Nunn**. Who was your predecessor?

Mr. **Trott**. Mr. Lowell Jensen, who is now a Federal Judge in San Francisco. He was involved primarily in establishing this group with Mr. Blau, who is at my left. He left last summer, and I took over the helm.

As you know, when the creation of the National Drug Policy Board was announced by the Attorney General for February 3 of 1987, this Cabinet level board will be formally established upon issuance of an appropriate Executive Order by the President.

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[1] See p. 369 for Mr. Trott's prepared statement.

The new Board will centralize oversight and coordination, and I underscore those two words, of all Federal drug control policies programs.

To achieve this centralization, the National Drug Policy Board will fully absorb the functions and responsibilities of the National Drug Enforcement Policy Board, created by statute in 1984 and responsible for developing, reviewing and coordinating Federal supply side strategies—

Senator NUNN. In other words, this doesn't have jurisdiction over the education or health features? This is strictly law enforcement; is that right?

Mr. TROTT. I was referring now to the National Drug Enforcement Policy Board that was created by statute in 1984 that was the supply side. The new National Drug Policy Board, when constituted, will expand to cover both.

Senator NUNN. You are about to expand to cover both. Is that going to be the same panel?

Mr. TROTT. It will be a slightly expanded group, and I can explain it to you in some detail.

Senator NUNN. The new group is by Executive Order, the form of the group that you chair now is by statute; is that right?

[At this point, Senator Sasser withdrew from the hearing room.]

Mr. TROTT. The National Drug Enforcement Policy Board came out of the Omnibus Crime Act of 1984 by statute, yes. The Executive Order will essentially take the National Drug Enforcement Policy Board, retain it in its form of responsibilities and authority and fold it into a larger operation which brings in, as we call it, the demand side as well as the supply side, so that the right hand and left hand, being the supply side and the demand side, are linked together with a central group that will have two coordinating groups, one which I will continue to chair on law enforcement matters, and the other demand side or educational matters, which will be handled by other people.

The Board itself as designed will continue to be chaired by the Attorney General and Vice Chaired by Dr. Otis Bowen, Secretary of the Department of Health and Human Services. Other members of the Board, all of whom are either presently statutory or appointed members of the NDEPB, include the Secretaries of State; Defense; Health and Human Services; Treasury; Transportation; Education; Energy; Labor; Housing and Urban Development; Interior and Agriculture; the Directors of Central Intelligence and the Office of Management and Budget, and representatives from both the President's and the Vice President's office and the National Security Council.

Within the new Policy Board structure, there will be two coordinating groups, as I indicated, each comprised of the department assistant secretaries, heads of agencies and other senior officials from organizations represented on the board.

A Drug Enforcement Coordinating Group, as I mentioned, currently exists under the Enforcement Policy Board, which I will continue to head. In addition, a Drug Prevention and Health Coordinating group will be established shared by Dr. Donald McDonald, Director of both the Alcohol, Drug Abuse and Mental Health Administration and the White House Drug Abuse Policy Office.

With that as a background, I would like briefly to explain our drug interdiction strategy and the role of command, control, communications and intelligence, or C3I centers. Our interdiction strategy focuses on detecting, identifying and intercepting shipments of illegal drugs as they move from source countries and transshipment countries to our U.S. borders.

Resources are concentrated in areas of highest current threat and integrate the capabilities of various interdiction agencies to maximize their effectiveness. The Policy Board has always considered interdiction an integral part of our drug enforcement strategy but must also strive to maintain the proper balance of emphasis and spending on all segments of our comprehensive strategy.

The other main parts of our strategy, of course, are investigation and prosecutions; demand reductions; international efforts and diversion control. The Policy Board will shift the emphasis of our strategy from time-to-time according to our best judgment of which avenues offer the most promising investment opportunities for our efforts at the time.

Mr. Chairman, and Senator Pryor, I would commend to your attention the green document that I'm now holding in my hand entitled, "The National Drug Enforcement Policy Board, National and International Drug Law Enforcement Strategy."

I know it's a rather thick document, so at the direction of Attorney General Meese, in order to make the contents of this more accessible to policy-makers, there is an executive summary at the front. It's only a very few pages, and I would request for the record, actually, that in view of the Senator's question, that this strategy, the executive portion thereof, be included in the record.

Senator NUNN. Without objection, it will be.

[The information referred to was marked Exhibit No. 14 and may be found in the files of the Subcommittee.]

Mr. TROTT. This is a document that was prepared by the Coordinating Group and all the participating members of that agency. It took a number of months to prepare.

Some of the time was because we were waiting to see what Congress would give us with the Anti-Drug Abuse Act in the fall.

But this represents our broad-brush blueprint as to where we intend to go in the near future, understanding, of course, that it will be flexible. The Coordinating Group itself, two meetings ago, held a briefing session on an implementiaton strategy in order to make sure that this is not just a document that goes on the shelf and that appears in records but it is a document that is used to make sure that we go where our best thinking indicates that we ought to go.

As I said, it characterizes what we intend to do in a tasking mode in all the areas that I mentioned, from foreign countries down to the prosecutions and the coordination of state and local officials. Again, this is an enforcement strategy.

I would also commend to you the National Drug Enforcement Policy Board progress report of 1984–85. This, again, is a document that will enable you, I believe, Senator, to determine that this is not just a bureaucratic paper tiger full of memos and paperwork, but that, in fact, we have significant things to show for the activiti[illegible] of the Policy Board, and this, at least, will give you an orientation that might fill out your knowledge as to what this has done.

[The document referred to was marked Exhibit No. 15 and may be found in the files of the Subcommittee.]

Mr. TROTT. The interdiction mission, of course, is complicated by numerous factors, including the enormous length of the U.S. border, which is estimated, I believe, at about 50,000 miles; the prohibitive cost of erecting impenetrable surveillance, detection and apprehension barriers around the United States. The ingenuity of the drug trafficker guarantees against search and seizure and our own Constitutional rights, which we fully support, and the use of military force in by our legal system is constrained by posse comitatus and other matters that were discussed between you, Senator Nunn and General Olmstead; plus the corrupting power of drug traffickers and enormous financial resources and his willingness to resort to terrorist tactics in foreign countries to preserve these ill-gained assets make this a very difficult problem.

Given the Congressional decision last fall to substantially increase the considerable resources already dedicated to interdiction, we are fully prepared to administer these interdiction funds as effectively and as efficiently as possible. However, we believe that the ability of the Policy Board to fulfill its mandate as the central body in the Executive Branch on drug policy—and this is a very important point that we can discuss in your questions—is strengthened when resource allocation decisions are assigned specifically to the Board.

The agency coordination process is made more complicated by mandating resources to agencies, particularly when the Board asks Congress to leave the placement of resources to the Board. All of us believe that more agency resource coordination is needed but that coordination cannot be easily achieved if Congress follows the path of dictating the types of resource and the agency control of that resource without a request from the Administration.

I offer this as an observation, not as a criticsm of either the process or Congress, but simply as one source of difficulties in coordinating some of our efforts.

Senator NUNN. I happen to agree with that. I think that is right. I think that is what we ought to do, and I think some mistakes have been made when that was done. But there has been a vacuum, a perceived vacuum, whether it is accurate or not. There has not been the perception here on Capitol Hill by virtually anyone that we really have a coordinated effort and that the Coordinating Board is prepared to make those tough decisions between the agencies.

I will add one other dimension to that. Somebody is going to have to put a degree of restraint on the agencies in their efforts on Capitol Hill, because the Administration doesn't have its agencies under control in terms of their own efforts here.

Mr. TROTT. Mr. Chairman, I agree with that, and considerable time has been devoted to that at our Coordinating Group meetings since I have been the chairman in the process. I think what you are saying, and I would agree with you completely, is that the Congress and the Administration must work together in this process. It's too big for us to be at odds, either between Congress and the

Administration, or individual agencies that you have identified. Otherwise, we complicate this mission, and the cost effectiveness of it becomes very problematic.

Neither the Policy Board nor the Coordinating Group have day-to-day operational responsibilities for drug law enforcement. I think that ought to be clearly understood. We do have policy responsibility to facilitate the coordination of operations and policy under the terms of the National Narcotics Act of 1984.

We do not micromanage the operations of the enforcement agencies that are doing the job in the field. To get this job done required that people come together in the model that we have designated as a consensus model to determine what needs to be done; how it ought to be done and by whom and then to send forth those agencies with enforcement responsibilities and the appropriate attitude to make sure that it happens.

We welcome your concern. We think that these hearings have enabled us to make progress on some of the tough issues that confront us, and I'm delighted to be able to answer your questions.

Senator NUNN. Thank you very much, Mr. Trott. Could you tell us generally the composition of the Board as it now exits? I don't need the names, but just the positions, how many people are on it, and what agencies and so forth.

Mr. TROTT. As I indicated, the Secretaries of State; Defense; Health and Human Services; Treasury; Transportation; Education; Energy; Labor, Housing and Urban Development; Interior; Agriculture; Directors of the CIA; OMB, and it will include the NSC and, of course, the Attorney General and I sit on the Board itself. Jack Lawn attends from DEA, and numbers of other people from the Policy Board staff.

Senator NUNN. Do they have the authority to designate a principal assistant to serve on the Board for the Cabinet officials?

Mr. TROTT. Yes. Frequently, when a Secretary is out of town, a number two person comes to the Board. For example, with the State Department, when Secretary Shultz is not able to come, either Deputy Whitehead comes or Ann Wrobleski, who is the Assistant Secretary in charge of international narcotics matters.

Senator NUNN. So either usually the number one or two person comes?

Mr. TROTT. Number one person usually comes; number two person, or on occasion, the specialist from the agency, Ann Wrobleski, who has the hands-on responsibility for making the program function. Below that, we do not go.

Senator NUNN. Can the people on the Board speak for their agency?

Mr. TROTT. Yes.

Senator NUNN. Can they make decisions on behalf of their agencies, or do they have to go back and check everything out?

Mr. TROTT. I have seen decisions made at the Board. I have seen situations where people go back and talk. I have seen situations where people with specific interests break off into sub-groups in order to come to a conclusion on certain problems.

Senator NUNN. The National Drug Enforcement Policy Board's International and National Drug Law Enforcement Strategy states that the Board will oversee the C3I development to ensure proper coordinations of roles.

To what extent has the Board coordinated the development of C3I, and I will ask the question regarding both before and after passage of the legislation last year? Are you coordinating C3I, and have you been, even prior to the legislation, or is that something new?

Mr. TROTT. My own information is that this is essentially a process that began last summer with the National Drug Enforcement Policy Board Coordinating Group's Southeast Border Subcommittee.

Beginning in the summer, after we got the Southwest Border under control with Operation Alliance, which is another Subcommittee of the Coordinating Group, we began to examine very carefully the southeastern border of the United States, the area in addition to the South Florida Task Force, and the Policy Board staff, which involves detailees from all the various agencies, identified certain information that needed to be gathered, and we started at that time identifying the issues, the options, the opportunities, and we sent into the field representatives from the Policy Board staff to begin to run a needs assessment on what we had to do down there.

Then we began to become involved in a series of meetings, all of which were designed to talk about areas of responsibility, lead agencies, radars, tracking, C3I and all the rest.

So from my perspective, the process started last summer. It was materially assisted, of course, in some respects, entered in others, by some of the legislation that came out last fall, talking about C3I's advising Customs that it had to coordinate with certain agencies; however, giving command and control of the building process to Customs and answering some of the decisions for us. So we really started this in earnest last fall.

I think that the process culminated, in a sense, in the letter that was sent to me by Admiral Yost that was referred to in your last meeting dated December 11, 1986. On behalf of the Coordinating Group, principals in the southeast border got together and began to talk about this, and you will see specific references in this document to the C3I centers and to all the discussion that had gone on in that respect.

This is a letter that I then presented personally to the National Drug Policy Board, and the substance of it was read into the National Drug Policy Board minutes, which I can refer to and actually read for you since I know you are interested in this.

Senator NUNN. I was going to ask you about that, because Admiral Yost, as you know, and Commissioner von Raab did not have a common understanding or agreement on what those minutes reflected, particularly as the assignment of detection was concerned. As I recall, Admiral Yost said in the letter, and said that the minutes of the meeting so reflected and the Policy Board so instructed, that the primary responsibility for detection was a Coast Guard responsibility and the Customs had a secondary responsibility.

Commissioner von Raab said that was the first he had ever heard of that and that he didn't agree with it, and his assistant, who was supposedly involved in a meeting, said he didn't agree with it.

Mr. TROTT. In every doughnut, there is a hole. No glass is completely full, and you identified for us a failure of communication, although honestly, I can't understand how it happened, because the letter itself—and I know you have a copy—shows a c.c. to Commissioner von Raab, and Bill Rosenblatt from Customs was present at this meeting.

In addition, Frank Keating, who is the Assistant Secretary for Treasury in charge of Enforcement, was at the National Drug Policy Board when I read this letter and when it was discussed and included in the minutes.

I think this is nothing more than a failure of communication such as we have had in the past and will have in the future.

Senator NUNN. Who was correct on that point at issue?

Mr. TROTT. If I can, let me read to you the minutes of the Policy Board meeting on December 18, 1986. By the way, the attorney General indicated to me he has no objection to making this available to you and your staff for your view.

Senator NUNN. We appreciate that. We will incorporate that in the record when furnished.

Mr. TROTT. If I may, "The Chairman then addressed the Southeast Border study—" which is the study that I indicated we started last summer, "—after reiterating matters on which consensus had been reached at the 6 November Policy Board meeting," and that was when we first began to talk about this in detail, the Policy Board.

> The Chairman asked Associate Attorney General Trott to report on the recent meeting on the point of responsibility. The meeting was attended by Admiral Yost on 10 December to resolve the remaining study issue. Mr. Trott presented the results of that meeting from a letter provided by the Admiral. A decision of the issues followed with the following resolution:
>
> 1. Regarding agency responsibility in the southeastern region, Coast Guard has primary responsibility for detection; Customs has a secondary responsibility. Customs and Coast Guard will share interception and tracking responsibility. Customs has primary responsibility for apprehension; Coast Guard has a secondary responsibility.

Then we go on to talk about the E-2C split; the P-3s with the C-3 center. "Customs and Coast Guard agreed to the following: Ownership and administration——"

Senator NUNN. Let me go back on that one point so we can get through to this question. That is exactly what admiral Yost said in his letter, is it not?

Mr. TROTT. The letter speaks for itself; essentially, yes.

Senator NUNN. The Admiral was correct?

Mr. TROTT. The Admiral was correct in saying that the letter existed, the meetings took place, and the understanding of the Board was we were going to assign agency responsibilities in that respect.

However, I may indicate that in view of the request of Congress not only for the reorganization plan to be submitted in April, but for a comprehensive interdiction plan, that the Admiral and the Commissioner of Customs and I discussed in my office the other night what we call AOR's, areas of responsibility, and although this is the current state of the play at that time, I would indicate to you that that is closed from further consideration.

Senator NUNN. I understand. I understand. We will get into that subject in just a minute with you. Has somebody notified Commissioner von Raab that he had an erroneous impression?

Mr. TROTT. I haven't had a chance to talk with Willie, but I am sure by now the letter has been brought to his attention. It is my plan to talk to him—he was out of town—at the earliest possible date to discuss what that means and what it doesn't.

Senator NUNN. I don't want to belabor the point, because the issue speaks for itself. It is indicative of the absolutely essential role that the Coordinating Board has to play. Not only was there a dispute; if there had not been a decision here, I suppose it would have raged on forever.

You are saying the Policy Board made a decision and a miscommunication is the reason the Commissioner didn't know about it?

Mr. TROTT. That is the way I understand it. Having gone over papers and in going over discussions with the people, Commissioner von Raab was not at the meeting, and he either never got the letter that was c.c.'ed from Admiral Yost—he was not at the Drug Policy Board and never comes to that level meeting, and apparently——

Senator NUNN. He is not supposed to come to that level meeting?

Mr. TROTT. No. Mr. Keating usually attends those, and for some reason Mr. Keating assumed, I think appropriately so, that Mr. Rosenblat's participation in the meeting plus the c.c. to Willie von Raab had closed that communications loop, and I can't fault that at all. I would have made the same assumptions had I been in his place.

Then we discussed at length the C3I centers, and the minutes indicate that Customs and Coast Guard agreed to ownership and administration of the C3I southeast region to Customs, and, of course, that pursues from legislation. There will be joint command and control of the C3I center, operation by Customs and Coast Guard.

The statement as to where the Center itself will be located, which has since been changed because of some security concerns; and then as stated in the Anti-Drug Abuse Act of 1986, the appropriateness of full planning partnership rules for Coast Guard, NNBIS and the Attorney General together with Customs in the design, establishment and location of C3I centers was affirmed.

That is some very important point. "Further discussion of these issues ensued with the following results: The Chairman instructed the Coordinating Group to monitor the establishment of the C3I system to ensure that joint command of the southeast center is fully realized. If problems develop, the Coordinating Group is expected to prepare options for the Board.

"Mr. Keating also announced that the Marine C3I facility at Houston would continue to be developed and Coast Guard was invited to participate." And finally, "Mr. Keating noted that Treasury agreed with OMB not to establish a national C3I center at Oklahoma City."

I read that part simply as a background for the document that I know has been provided to you dated March 16, 1986 signed by Admiral Yost, Willie von Raab and myself. In accord with this direction of the National Drug Policy Board, as referenced in these minutes at the Coordinating Group meetings, every time, we inquire into the state of play between Customs and Coast Guard.

When we came to the conclusion, as clearly indicated by Customs and Coast Guard, that they had not closed on the meaning of joint command, that night we had a meeting in my office. It was attended by Customs and Coast Guard, and we sat down with the Attorney General's primary assistant for National Drug Policy Board matters and we hammered out this agreement, which accords with the military understanding of what joint command ought to be.

We think that although certainly many issues remain to be addressed, that the agreement itself broke through some of the complications in terms of joint command, and I must tell you that notwithstanding some of the roughness that appeared at the last hearing, I was very pleased with the attitude of both Commissioner von Raab and Admiral Yost at the meeting in my office March 16th.

They showed a willingness to be a part of the solution of these problems, rather than just a part of the problem. I would hope that is the type of attitude that we can continue to generate at the coordinating group, because as you well know, without the type of attitude, I don't care who is running the show, it's not going to make the type of progress that you and I would both like to see.

Senator NUNN. I agree.

Basically, in that latter statement, you covered the Oklahoma National C3I Center.

Mr. TROTT. Yes.

Senator NUNN. You are saying your group, your Policy Board decided that was not needed; is that right?

Mr. TROTT. Mr. Chairman, this goes back again to the observation I was making earlier: Yes. It was our view at that time that we did not see a crying need for a National Center in Oklahoma City. As you can see, Mr. Keating so indicated to the National Drug Enforcement Policy Board.

Senator NUNN. Is that because it was in Oklahoma City or because you don't think it was needed at all, which one of those reasons?

Mr. TROTT. Mr. Keating is from Oklahoma. It was our view that it didn't appear to be needed at that juncture.

Senator NUNN. Wherever it was located.

Mr. TROTT. Right.

Senator NUNN. It wasn't a question of location; it was a question of need, right?

Mr. TROTT. Not needed, and the last thing we want to do is create things where they're not needed. I am very loath to speak for the Department of Treasury on this, because it involves their operation, but I believe that I have been notified that in a supplemental that was sent up here to the Hill that Treasury indicated that they thought the National Center in Oklahoma was not necessary, and I'm told by Mr. Keating, however, that Congress has told him that yes, it is; it's not going to come out in the supplemental.

So this is another example, I believe, of some of the problems that are created when Congress attempts to substitute its judgment for the Board. Again, I am not offering these as criticisms, simply as an observation. Somebody asked me what we can do to help the Board. I would say that I would hope that the perceived vacuum will no longer be perceived vacuum after we finish answering your questions and that somehow, Congress will be willing, in its assignment of resources and responsibilities to say,

> All right, this is going—we are going to give you these resources and paint with these broad strokes, but then we are going to expect a National Drug Policy Board to come back with its best thinking representing DEA, Customs, Coast Guard and whomever,

And tell us what the C3 centers ought to look like; where they ought to go; how they are coordinated with the military; how they work into the EPIC with the interdiction program; how the National Security Decision Directive of last April bringing the military people are going to come into this without compromising sources and methods and all the rest in the courtroom, and then it's up to us, really, to get back to you and say, "Here's the way we think it ought to work."

I think if you give us the opportunity to design our own destiny, we will do a better job than we have in the past.

Senator NUNN. Well, that is very encouraging. I appreciate that attitude, and I think that is the way it should work. I hope that as a result of these hearings and your testimony and the testimony of others we will begin to be able to have that kind of confidence from the Congressional point of view in the ability of the Executive Branch to coordinate.

I think that that perception, accurate or not, has driven a lot of decisions around here in terms of basically allocating resources.

Backing up on the question of C3I, have any of the parties involved, Coast Guard, Customs and so forth, asked for assistance regarding the C3I's? Did the Policy Board respond to those requests for assistance? Did you volunteer to get in it, or how did your involvement come about?

Mr. TROTT. The way I try to work a coordinating group is to create subcommittees, very specific subcommittees, not just groups because we don't have anything better to do, but whenever we spot something that has to be accomplished, and that is what we always ask. We will put together a subcommittee or a working group and task it with coming up with answers to questions about plans or programs.

It is my understanding now that the principals involved in the C3 center are working together to hammer out the fine points and the details of this.

In addition, we have asked Jack Lawn to expand his Intelligence Subcommittee of the Coordinating Group to include the creation of a master plan that will tackle all of the issues that you identified in your questions. We will continue to provide to the people involved all the support we can. We have a very able staff. I can't tell you how impressed I have been with the staff.

Although each one of them comes to the staff from an agency and you might think, therefore, that they would bring agency biases, they have all gotten out of their own agency's skin and pitched in to resolve these problems, so the staff will be available to help the groups that are primarily responsible for this.

[Minutes from a Dec. 18, 1986 meeting of the National Drug Enforcement Policy Board were marked Exhibit No. 16 and may be found on p. 473.]

Senator NUNN. How many staff people do you have?

Mr. TROTT. Right now, there are ten detailees.

Senator. NUNN. Who has the authority to make the decision? Is this a majority vote of the board? Is it the Attorney General who is head of the board or his designee? Who makes the decision in the Board, and what kind of authority do you have?

Mr. TROTT. We use a consensus mode. We try to stay away from those types of votes. We don't use the Congressional committee method, where you take a number of votes and whatever happens happens. That reflects, number one, our cabinet form of government; and number two, it creates the type of attitude I indicated earlier.

Senator. NUNN. If there is no concensus, who makes the decision, then?

Mr. TROTT. We are going to get a concensus; that's all there is to it.

Senator. NUNN. Who can assure us of that?

Mr. TROTT. The President of the United States.

Senator. NUNN. We have been operating with the Joint Chiefs of Staff under that system for about 40 years now. We concluded it didn't work last year. You have got more players involved, but I'm afraid you are going to run into the same thing. Unless somebody can make the decision, whether it is a majority vote or the Attorney General, unless somebody can make that decision, we can talk all we want to about the President making it.

Certainly, he has that authority, and occasionally, it may go up to him, but the President of the United States, whoever he is, doesn't have time to get involved in the question of C3I, for instance, between Customs and Coast Guard. He just doesn't have time.

I am still really curious about how you are going to make a decision when no consensus exists. The second problem with consensus as you have described it, based on about 40 years of military experience, is that it usually results in the lowest common denominator.

You have got to compromise everything out, so when you do reach consensus, it usually doesn't make sense. It is sort of milk toast. It is just sort of a little bit here, a little bit there; this agency gets this, this agency gets that. That is what has happened over an over in the military.

So you are talking to at least one Senator who is not optimistic at all that that system will work.

Mr. TROTT. Well, I guess I'm an optimist by nature, and I had better be, if I'm going to be the chairman of the Coordinating Group. So far, although there are days when I walk out of my house and look at my license plate and it says, "I would rather be fishing," and I say that is try, I always get in the car and come to work, because the strength of this coordinating group is: number one, its potential, which I believe is being realized and has been realized in this last year, and as General Olmstead said, it is getting better.

The learning curve is on the rise, but it's not also in the potential and the organization itself, but it is in the commitment of individuals, not only to fighting drug trafficking but to the Policy

Board and the Coordinating Group. I think for the first time in the last six months, we have developed a commitment to the process that wasn't there before, the professionalism of the people that are involved, the attitude.

Senator NUNN. Why didn't we have that before, because the American people have a right to ask? I know President Reagan and Mrs. Reagan have been very much involved in trying to do something about drugs. The Congress of the United States, we make our errors, but we have been involved for a long time. We have been talking for years and years and years and years about this. We passed the recent legislation with one individual up there, a unity of command. The President vetoed that.

Why is it that we are just now getting around to coordinating? By everyone's admission, it hasn't been happening before. How can we go this long without this happening?

Mr. TROTT. I think old ways die hard. Each agency was used to working on its own and dealing with its own budget committees, with its own programs and priorities. I think this was just a new idea that took some time to settle in.

Number one, this idea had to appeal to the agencies, and I have been told on a number of occasions that other agencies at first approached it with suspicion, believing that it may be just some opportunity for the Justice Department to try to run around and grab everybody else's baton.

That never was the intention of the Policy Board or the Coordinating Group, and I think we have taken strong steps started by Lowell Jensen, my predecessor, to make sure that the promise is met by the reality.

I think the first step was in the southwest border, when we made it clear that this is a process that people could trust. In the southwest border, we have a serious problem. The Coordinating Group created a southwest border subcommittee and the chairperson of that was Frank Keating from Treasury.

I think that was one of the first concrete measures that said to everybody, "There is no proprietary interest in this, let's take an interest only in the accomplishments."

An Operation Alliance had been put together with Frank Keating at the chair. The other subcommittees, we have a Bahamas Subcommittee. That is Ann Wrobleski from State. We have FAA and the Technology Subcommittee; we have Jack Lawn in an Intelligence Subcommittee, and we try to go where the problem is and assign those responsibilities.

So I think now people are satisfied, but I would have to really ask them, that this is not something that is going to get into their own hair in a negative way. This truly is an agency or an operation that is going to provide coordination and hopefully that the whole will be equal, or if not greater, than the sum of its parts.

Senator NUNN. Well, what we have got now, and again, Congress plays a role here, because with the combination of Congressional, perhaps, micromanagement and the perception of noncoordination, we have got two E-2C's that Customs Service now has and two E-2C's that the Coast Guard now has.

I can't find anybody that thinks that makes sense. We have that one; I know that was Congress, but we also had the agency up here fighting. I don't know where the Coordinating Board was then.

Mr. TROTT. Asking them not to come up here and fight. That's what I mean by old ways die hard. They saw their own assets on the line, and some of them believed that they better get up, the way they have been doing for hundreds of years, and speak their piece.

Senator NUNN. Who made the decision about the 360-degree radar plane?

Mr. TROTT. P-3's?

Senator NUNN. Doesn't the Customs have one and Coast Guard have one?

Mr. TROTT. No. If I may back up for one second, you indicated earlier that the consensus model splits the baby. I believe that is the same thing that happened on the E-2C's. We had written letters up here, and I can produce them for the record, on the E-2C's and how this ought to be done. To our dismay, the Congress decided to split the two E-2C's down the middle.

Senator NUNN. I agree with that.

Mr. TROTT. We tried to tackle the problem in the National Drug Policy Board and effectively figure out some way to override what we considered to be that questionable basis of the judgment in Congress. We ran smack into the law, and everybody said and everybody agreed, and I remember full well your admonitions to me sometime ago in the Presser hearings what we ought to do when we are confronted with a law, and we decided that the law is the law; the E-2C's get split whether it is a good idea or not.

Senator NUNN. I agree you have to follow the law; there is no doubt about that.

Mr. TROTT. That has been our biggest problem. The P-3 allocation was the Treasury Department, and the Treasury Department said it was the law. Even though the C3I controls, we didn't go to the C3I system because the law said so. That's been the biggest hang-up at the Policy Board level.

Senator NUNN. What would you have done on the C3I system if the law hadn't designated that?

Mr. TROTT. What I would have done is exactly what we are doing now: creating a committee of people who will be responsible for that program and turned to the experts and asked them, "What is the best way to do that?" and I include the military in that, because we have considerable experience with C3s. We were told that's the way this was going to work, and that's the way we have done it.

Senator NUNN. This proposal we heard Mr. Revell make this morning about, I suppose, the Washington all source coordinating role for intelligence here, who is going to run that? Is that an FBI or DEA operation?

Mr. TROTT. If there is a lead agency, I'm just not familiar with exactly what that—may I have one second?

[Discussion held off the record.]

Mr. TROTT. Mr. Blau reminds me that as Mr. Revell said, DEA, by law, is the lead agency when it comes to drug intelligence, so they would continue to be the lead agency. This, of course would be a special opportunity for us to feed in military intelligence.

Senator NUNN. We wouldn't have two of those, then?

Mr. TROTT. No.

Senator NUNN. We are talking about the same thing.

Mr. TROTT. Yes, we are talking about the same thing. Wherever you call it, whatever you call it, the general concept is still there.

Senator NUNN. What about the lead agencies? Is that statute being looked at carefully, and is the study being prepared? Are you prepared to name lead agencies as called for?

Mr. TROTT. In areas of interdiction?

Senator NUNN. Yes.

Mr. TROTT. We are studying that right now, yes. As you can tell, we are not at all hesitant to get in there with both feet when it's necessary.

Senator NUNN. When is that review? When is that decision due, the middle of May?

Mr. TROTT. Yes.

Senator NUNN. Will you be ready by then?

Mr. TROTT. I hope so.

Senator NUNN. Have you started talking about it at the Policy Board?

Mr. TROTT. Mostly the Coordinating Group. We have had a number of meetings in the Coordinating Group.

Senator NUNN. Is the Policy Board going to make the decision? The President will make the decision, but will you make the recommendation to the President, the Policy Board?

Mr. TROTT. I believe that's the way it will work. We will persent options at the Policy Board, and they will decide how to take it from there.

Senator NUNN. "We" being who?

Mr. TROTT. The Coordinating Group and the working subcommittee groups that we have established.

Senator NUNN. So the study is underway there?

Mr. TROTT. Yes.

Senator NUNN. Do you want to share anything with us, how you prefer to approach it?

Mr. TROTT. I would prefer not to.

Senator NUNN. I am not saying the results, but how you are going about it.

Mr. TROTT. Well, how are going about it is, again, simply using the staff as the central mechanism, the authorization for the reorganization plan and working with the agencies as we did in the past to decide where the areas of responsibility are going to be allocated. I won't kid you and tell you this is going to be easy.

The good news is that we have tigers out there that want to attack the foe. The difficulty is getting all the tigers to work together and not take pieces out of each other in the process.

Senator NUNN. You mentioned Presser a few minutes ago, which doesn't get into the subject matter of this hearing, but we still don't have any MOU between Labor and Justice, which we were told we would have last fall.

Mr. TROTT. I apologize. I thought we did. We don't?

Mr. RINZEL. Just on the FBI level, the FBI Inspector General's office between Justice.

Mr. TROTT. I will try to trace that down.

Senator NUNN. We would like to have that.

Mr. TROTT. I knew I shouldn't have brought up the Presser hearing. [Laughter.]

Senator NUNN. What are you going to do if this consensus method doesn't work, and how long are you going to try? Because my prediction is unless you do bring things up to the Presidential level frequently, the consensus level is not going to work. You said cabinet government. It is not the way cabinet government works. They don't vote. When the cabinet sits around and discusses thing, there is one person there that makes the decision; that is the President. There is no vote. He listens, and then he makes a decision.

You don't have anything like that here. What you have got is a bunch of people with different interests, all of them sincere and dedicated and doing what they think is right, advocating their own interest. If somebody can't make a decision, I just don't see how it can work.

Mr. TROTT. I am very optimistic, because I think, as I said before, everybody who sits at both the Coordinating Board and Policy Group level is personally dedicated to doing something about drug trafficking and drug abuse. So I am hoping that that personal commitment as well as the professional commitment will override the oridinary problems that you get into with the bureaurocracy.

Nobody want to be part of the problem. The problem is too big for all of us to sit around and recreate. I am hopeful we will be able to come to closer on some of these. I know that the Attorney General has had a number of personal discussions with the members of the Cabinet, and they have all expressed their commitment to making things happen.

Senator NUNN. We will follow it with a great deal of interest, and, I must say, some skepticism about whether it is going to work.

Mr. TROTT. Mr. Chairman, let me indicate that you are faced with choices here. We can either have this model, which is one we have had for years, work off a consensus, try to convince people this is the right thing we ought to do.

Senator NUNN. Where have we had that for years? Where has this consensus existed?

Mr. TROTT. Generally in the way the government does things.

Senator NUNN. It defies the only principle in the military, the unity of command.

Mr. TROTT. It does work in the military, but I am talking about in the Cabinet, whenever you are dealing with the Secretary of this and the Secretary of that.

Senator NUNN. The President makes the decision. If you tell me you are going to kick these things upstairs to him, that is one thing.

Mr. TROTT. No, I'm not telling you that, because hopefully, that is something we want to avoid. We want to resolve this at the lowest possible level, where responsibility is for making specifics. It is my hope to get the FBI and DEA and Coast Guard and Customs to agree at the lower level and then present these as good, finished packages for Board confirmation.

I think every time you kick it up another step, you are creating some more problems, not that those problems can't be resolve there, but I think we ought to work at the lowest possible level.

Senator NUNN. Tell me a model of this that has worked smoothly in government that we can look to. What is our model?

Mr. TROTT. I think this process itself that I am describing, although it's had its moments, has worked fairly well, and we have hammered out a number of things recently in the National Drug Policy Board and closed on quite a few issues. I believe Operation Alliance two years from now, when it's fully up, when the aerostat balloons are up, when the long-range air surveillance mission report comes in, when we have in place the hundreds of new customs agents, the cross-designation is fully in place, that we will have created a significant improvement along the southwest border, I believe that is a creature of the National Drug Policy Board.

Senator NUNN. Were you here when the military witnesses, the generals, testified that if we tied these C3I centers together and made them really coordinated with military, we would greatly enhance national security as well as deal with the drug problem?

Mr. TROTT. Yes.

Senator NUNN. Have you looked at that feature of it? Have you looked at the national security feature?

Mr. TROTT. That's been discussed, but I'm not technically competent to give you any personal observations on that.

Senator NUNN. Will there be somebody in the policy deliberations as these things move along to bring that feature?

Mr. TROTT. Yes.

Senator NUNN. We had testimony last week from Frank Ault, who suggested that we get more mileage out of our tax dollars by giving the drug interdiction mission to the Coast Guard and thus benefitting both national security and law enforcement purposes. Do you want to comment on that?

Mr. TROTT. We believe that there's plenty of room for Coast Guard in this operation, and we welcome Coast Guard's participation in the process. As you know, the National Narcotics Border Interdiction System, which is really only a few years old, started on March 23 of 1983; for the first time, began to bring the Coast Guard into this in a very formal way.

Since that time, Coast Guard has demonstrated its willingness and its ability to be a full, mainframe player in interdiction. There will continue to be a significant role for Coast Guard in this process.

Senator NUNN. We have already covered it, but I want to get it on the record. The General Accounting Office last week asked who was in charge of the drug efforts, and they noted that, "The Chairman of the Drug Enforcement Policy Board is supposed to be doing that. That Board is supposed to be making budget studies and supporting those budget trade-offs. It's not being done. We are not doing it."

Mr. TROTT. I missed the last part. Budget trade-offs?

Senator NUNN [continuing]. "Supposed to be making the budget studies and supporting those budget trade-offs. It is not being done. We are not doing it."

Mr. TROTT. I disagree with that. We have had a number of briefings in the National Drug Policy Board presented by OMB on our overall budget as it relates to combatting drug trafficking and drug abuse, and if you want to get into the micro side of it, just yesterday, the Attorney General and I and the Director of the Federal Bureau of Prisons and staff met together for over an hour and a half.

The objective there was to examine one problem in the system. We are quickly approaching gridlock when it comes to the war against drug trafficking. The Federal Prison System, with a rated capacity of less than 30,000 people, now has in excess of 40,000 people in and rising.

We project early in the 1990's that we will have over 72,000 people in the Federal Prison System, which requires an additional 24,000 beds between now and the early part of the 1990s at a cost, at a construction cost of $1.6 billion and an activiation cost maybe equal to that.

The reason why the Attorney General is worried about this, number one, because it is a problem in and of itself, but in 1970, we had about 14 percent in Federal prisons that came from drug trafficking charges. Now we have 37 percent of people in the Federal Prison System from drug trafficking figures. All projections show it may approach 50 percent, with the objectives we have going.

The Attorney General, with those complications, have been personally involved in that micromanagement side as it relates to drug trafficking, because everything we are talking about in terms of investigations and apprehensions, interdictions and everything else can be overhauled if we get a cap placed on it.

So the Attorney General has become directly involved on behalf of the Board in the budgeting process. The Coordinating Group surfaced this issue and the jails issue, which is another serious problem, months ago, and we presented this problem with OMB to the National Drug Enforcement Policy Board. The Policy Board adopted, as policy, a long-range building program for the Federal Prison System so that we can get ourselves out of this.

These are just a couple of examples of how the Policy Board is addressing agency and budget problems.

Senator NUNN. Have you taken a look at the program that we had with Turkey at one time relating to, I believe it was heroin poppies and so forth and going in and actually assisting them in getting the farmers out of that business by assisting them with foreign aid?

Mr. TROTT. I have heard of that program. I have not specifically read any of the documents that relate to it.

Senator NUNN. It seems to me somebody has got to assess this whole area of interdiction and where we are going and how much money is going into it compared to other opportunities in terms, perhaps, of working at the source of where drugs are. Once the drugs leave a particular country and start getting in into international channels the difficulty of interception just goes up astronomically. Once you get into this country, as opposed to interdicting at boarders, it goes up even more.

Maybe I am wrong, but as close as the drugs get to the street level, the more impossible it is to enforce; and the closer you get to the source, the more effective you are in terms of expenditure.

Mr. TROTT. We have been doing exactly that, and especially in the context of Bolivia. As you know, we have had Operation Blast Furnace down there, and the Board itself has been briefed literally every meeting on that program, because it not only involves getting rid of drugs before they even start coming out of the source countries, but it involves the addiction to narco dollars that exist in some of these places and the leaders of Bolivia have come to use, for example, and asked for considerable economic assistance to take the people down there who are growing these drugs and getting them to get into some other crop that will enable them to sustain their lives but not growing drugs.

Senator NUNN. Are we studying that involvement right now?

Mr. TROTT. Oh, yes. Ann Wrobleski of the State Department is investigating that, and we are making efforts to contact——

Senator NUNN. The Prime Minister of Ecuador told us he needed two or three extra helicopters. Even two or three extra helicopters can no longer do the job for these countries.

Mr. TROTT. In 1980, I believe we had one eradication program going on around the world with primarily the State Department and DEA. Now, we have, I believe, 14 eradication programs, and that is a very vigorous program.

Right now in Mexico, we have a special team down there evaluating the benefits of that program. But it is absolutely clear: Eradication in source countries must continue to be one of our highest priorities.

Senator NUNN. I continue on that. I want to push it vigorously.

I want to ask a couple of questions. These are Senator Chiles'. At last Wednesday's hearing, we had a conversation with Coast Guard and Customs concerning overlapping jurisdiction and responsibilities in overall drug enforcement. Has the Drug Board ever analyzed and categorized the overlaps in the jurisdiction?

Mr. TROTT. Yes, and that is part of the discussion that I indicated earlier when we were going through the southeast region, who ought to have the primary and who ought to have the secondary responsibilities for the mission. We also talked about the southwest border, also, and generally about who was better able to handle what.

In the C3 agreement that I referred to earlier, also, Admiral Yost and Commissioner von Raab and I discussed how this was going to work in terms of responsibilities for land, sea and air.

Senator NUNN. Could you furnish those categories of overlaps to us, whatever is relevant to that for our record?

Mr. TROTT. Sure.

Senator NUNN. Another question on behalf of Senator Chiles. He is presiding at the Budget Committee. Of course, he was here a few minutes ago and will try to get back but may not make it. From minutes of the meeting of the Drug Board over the last few months, it appears many questions on the C3I missions and air interdiction missions have been deferred.

Other than the March 16th agreement on joint command, has the Drug Board decided or influenced an other development of C3I?

Mr. TROTT. I don't know. I'll have to check that, if you want a specific answer.

Senator NUNN. Can you furnish it for the record?

Mr. TROTT. Yes.

Senator NUNN. The next question on behalf of Senator Chiles: Is there an Executive Order which created the new National Drug Policy Board?

Mr. TROTT. The Executive Order right now is being finalized. There is a process by which it is delivered to OMB and then circularized to all the agencies so everybody can take a chop at it. Mr. Meese indicated this morning he intends to close on this process with the speed of light and get the Executive Order out just as soon as possible.

Senator NUNN. That is encouraging.

Last week there was a discussion about—another question on behalf of Senator Chiles—there was a discussion about whether an Executive Order could amend a statute.

Mr. TROTT. I guess technically, the National Drug Enforcement Policy Board, as created by the Comprehensive Crime Control Act of 1984, still exists. It now lives within a bigger organization, that is all.

Senator NUNN. You don't believe you changed it, you amended it?

Mr. TROTT. We folded it into a larger organization.

Senator NUNN. In your legal view, that is consistent with the statute?

Mr. TROTT. Yes, absolutely. It has each and every characteristic of the expectations of the law.

Senator NUNN. Mr. Trott, are you aware of Captain Ault's exit memo dated September 30, 1986 which was given to the Customs Service when he was there as a consultant?

Mr. TROTT. I read it for the first time last summer.

Senator NUNN. Last?

Mr. TROTT. Summer.

Senator NUNN. Last summer. Have you had a chance to look at those allegations and the appropriateness of his recomendations?

Mr. TROTT. I didn't read it quite in that light, but I read it to see what, if anything, we could learn from it and profit from. I know that the recommendations and observations have been circulated to the decision-makers in this process and considered by them.

Senator NUNN. But will you continue to consider that as you look at these lead agencies?

Mr. TROTT. Yes. You know, we are not smart enough to have all the answers. We don't have an NIH syndrome, which doesn't mean the National Institutes of Health; it means "not invented here". We are delighted to receive observations from anybody.

Senator NUNN. In terms of the law and the C3I centers, first of all, if there was no law at all, do you believe it would be wise to wait on the development of these centers until after the President designates the lead agencies on May 13th?

Mr. TROTT. No, I don't believe so, because I think we can proceed on parallel tracks. It's all going to come together in the end. We are going to need C3I's, period.

Senator NUNN. How about the national command center?

Mr. TROTT. I think we are stuck with that one. The law is the law, and we have been told, "Get that out of the supplemental; you are going to build one."

Senator NUNN. So you believe that can't wait; you believe by law you are required to do that?

Mr. TROTT. I believe we are. That is the analysis of the Department of Treasury.

Senator NUNN. Is there a possibility of co-locating it as an existing center, or is it required to be a separate center by law? What is your interpretation?

Mr. TROTT. We are told it's in Oklahoma City by law.

Senator NUNN. I don't think that is in the law. I think it is in the report language.

Mr. TROTT. There are some people up here on the Hill who believe it's in the law.

Senator NUNN. I tell you, the number of times I have seen the Executive Branch disregard report language I could not count. I think that I am not suggesting that, but I really believe it's a mistake to go forward with all of this without having some idea of the lead agencies. I think you all need to take a look at it, and I think there is a difference between report language and the law.

I am not opposed to it being Oklahoma City. I don't care where it is. The question is whether you need to spend that money in that direction or whether it ought to be in some other fruitful direction.

Mr. TROTT. Two very good questions. I agree.

Senator NUNN. We thank you for being here. We hope you will continue to keep us informed. I question whether this Policy Board Coordinating Group is going to work by consensus. Maybe it will while everybody is focusing on it, but over a period of time, I think you need to address it. If not, I think Congress will have to address it by statute.

Mr. TROTT. Mr. Chairman, and I don't want to overstay my welcome here.

Senator NUNN. No.

Mr. TROTT. I learned a long time ago in assessing something, it is not only important to look at the problems with it; to also understand its strengths and accomplishments. Sitting down last night, I listed way over 100 initiatives involving coordinated approaches to doing a better job on drug trafficking, which I am not going to read to you today in the interest of time.

It starts with law enforcement coordinating committees; the Organized Crime Drug Enforcement Task Forces started in 1982; the NNBIS system; Colombian Opportunities Working Group; Operation Alliance; any number of extradition treaties; mutual legal assistance treaties; working groups with Italy and Mexico; all kinds of radar; intelligence and education issues, which I would be delighted to sit down sometime with either you or your staff to convince you that the progress we have made since 1980 has been substantial and that there are tremendous strengths of this program that we have described to you in addition to some of the obvious loose ends that you have identified during these hearings, and I thank you for this opportunity.

Senator NUNN. We will put that whole list into the record if you will submit it to us.

Mr. TROTT. We will.

Senator NUNN. We will have other questions for the record, and we will continue to stay in touch with you. We will probably be making some further recommendations.

Senator NUNN. Thank you.

We will have about 50 documents that we have made part of the record that will be numbered and listed in accordance with the order they came in, and we will also leave the record open for ten days for additional submissions that we have submitted questions for.

Mr. TROTT. Thank you very much.

Sentor NUNN. The Subcommittee will now adjourn.

[The documents referred to were marked Exhibit Nos. 17-59. See Contents starting on p. V for title and disposition of the Exhibits.]

[Whereupon, the Subcommittee adjourned to reconvene at the call of the Chair.]

ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

TESTIMONY OF PETER A. JOHNSON
PROJECT DIRECTOR, OCEANS AND ENVIRONMENT PROGRAM
OFFICE OF TECHNOLOGY ASSESSMENT

before

Permanent Subcommittee on Investigations
Senate Committee on Governmental Affairs

Drug Interdiction Technologies

March 18, 1987

Mr. Chairman:

Thank you for the opportunity to present some of the results of our recently completed study by the Office of Technology Assessment on drug interdiction. My name is Peter Johnson and I am the Project Director of that study. With me today is Larry Jenney, a senior analyst at OTA who was responsible for our air interdiction investigations.

Today, I will summarize the OTA study results pertaining to the drug smuggling problem and Federal interdiction efforts as a whole, as well as specific aspects that relate to the subject of these hearings -- the development of Command, Control, Communications and Intelligence (C^3I) Centers.

As you know, the Office of Technology Assessment is a nonpartison analytical agency of the U.S. Congress. Our function is to assist Congress anticipate and plan for the effects of technological changes. We undertake studies at the request of standing committees of Congress.

OTA is releasing today its study titled The Border War on Drugs. The study was undertaken at the request of the Senate Committee on Appropriations. It deals with a major component of the Federal drug control strategy: interdiction and interdiction technologies. The purpose of the assessment is to assist Congress in making decisions about the allocation of Federal resources for technologies employed to control illegal drug traffic. The study addresses:

- Drug smuggling patterns and importation statistics in different smuggling modes (ports of entry, sea, air, land).
- Technologies and strategies used by interdiction agencies.
- Effectiveness of interdiction agencies in intercepting drug shipments.
- Prospects for improvements in interdiction through the use of new technologies and new approaches to designing and deploying technological systems.

This study was approved by our Technology Assessment Board and initiated in September 1985. The analytical work was completed at the end of 1986. We were assisted in the conduct of the study by a distinguished advisory panel who are listed in the front of our report and who include former Federal agency officials, local law enforcement officials, experts from academia, and industry. In addition, OTA formed with an interagency advisory group, conducted workshops on several technological subjects and consulted with a number of organizations involved in drug interdiction or in the development of technologies that may be applied to drug interdiction.

As you know, Federal expenditures to combat drug smuggling and drug abuse have increased substantially in recent years. Expenditures on drug interdiction more than doubled from FY 1981 to FY 1986, from $394 to $822 million. The Anti-Drug Abuse Act of 1986 (P.L. 99-570) authorizes a large increase to these expenditures. The Administration estimates interdiction expenditures to total $1,369 million in FY 1987 and $982 million in FY 1988.

Despite these Federal expenditures, the quantity of drugs smuggled into the United States has increased. Only a small percentage of drugs is being seized. Imports of cocaine, the illegal drug perhaps posing the most serious national problem, have doubled since 1981. The increase in drug trafficking raises questions about the effectiveness of current drug control strategies and technologies.

OTA's study focused on the three major illegal drugs: heroin, cocaine, and marijuana, which account for almost all drug smuggling into the United States. These drugs are transported from foreign countries by a variety of methods which can be categorized as either entry through official ports or surreptitious entry by means that avoid official ports. Drug trafficking through official ports of entry includes modes such as commercial aircraft or ships; cars, trucks, or pedestrians at land border crossings; international air passengers, and letters and parcels through the postal system. Surreptitious entry includes drug trafficking by private ships and boats, private aircraft, private vehicles, and pedestrians crossing land borders.

I would like now to call your attention to the first chart, which illustrates agency drug interdiction responsibilities by mode of entry as well as some estimates of total traffic for these modes.

The agencies with primary responsibility for drug interdiction are the Customs Service and the Coast Guard. The Customs Service is charged with combating smuggling by private aircraft, by private vessels in near-shore waters (in general, out to twelve nautical miles from the U.S. coast), and by all modes at ports of entry. The Coast Guard shares responsibility with Customs for interdiction of seaborne drug traffic near shore and conducts patrols along the entire U.S. coastline and in the open ocean, concentrating in the Gulf of Mexico and the Caribbean Sea. Along the Mexican border between ports of entry, the Border Patrol of the Immigration and Naturalization Service exercises enforcement effort as an adjunct to its primary mission of preventing illegal immigration.

Other Federal agencies involved in or assisting interdiction programs include the Drug Enforcement Administration, the Federal Bureau of Investigation, Federal Aviation Administration, and the Department of Defense.

Interagency groups concerned with interdiction include the National Narcotics Border Interdiction System (NNBIS) and the National Drug Enforcement Policy Board.

While illicit drugs are smuggled across practically all of the borders of the United States, southeastern and southwestern States experience by far the greatest number of smuggling attempts. Prior to the early 1970's, the Mexican border was the area of greatest concern. Since then, the majority of smuggling attempts have taken place in south Florida and the Gulf Coast States. Just recently the border with Mexico has seen another upsurge in drug trafficking, perhaps in response to increased law enforcement efforts in south Florida.

As a way of describing the interdiction process and its components, we have prepared the second chart, which is titled "Interdiction Functions". It shows the broad categories of activities as intelligence, command and control, surveillance, pursuit and capture. Intelligence plays an important role throughout the interdiction process. Intelligence simplifies the separation of smugglers from legitimate traffic and may provide advanced information on departures, routes, destinations and where drugs are hidden. Intelligence also provides information on the impacts of interdiction activities on smugglers.

Command and control provides the mechanism to manage and integrate all available information about a potential target and to select, distribute or display the most significant data for operational decisions. Data links, computer systems and secure communications are important components and are key to effective command and control systems. Central command structures for operations involving more than one agency or branches of an agency are also essential to make command and control technologies work effectively.

This second chart may also be useful to illustrate other points later but I would now like to summarize for you the key findings of our study. These findings are the result of extensive investigations and analyses by OTA over more than a year's time by our staff, by a number of consultants, and with assistance and advise from all of the involved agencies and our advisory panel. The report we have published discusses the broad outlines of our analysis and data. Because of the sensitive nature of this subject, details of smuggling activities and Federal programs have been omitted from the public report; they are, of course, available to the Committee.

Key OTA Study Findings and Options

Following are key findings of the OTA study:

1. **There is no clear correlation between the level of expenditures or effort devoted to interdiction and the long-term availability of illegally imported drugs in the domestic market. Given the profitability of drug smuggling, a worldwide glut of drugs and the view that the United States is the favored market for drugs, interdiction alone will probably never result in more than a short-term or relatively small reduction in drug availability.**

Interdiction efforts have resulted in seizure of many tons of illegal drugs each year. Increasingly successful interdiction of drugs entering Florida appears to have forced smugglers to spend more money for better boats and aircraft, to travel longer distances (e.g., up the Atlantic coast), and generally to take greater risks. In addition, the capture of individual smugglers sometimes enables agencies to penetrate and neutralize smuggling organizations.

Despite these successes, there is little indication, on a national basis, of any shortage of contraband drugs for sale on the street. Only a small fraction of drugs entering the United States is seized by drug enforcement agencies. The main effect of successful interdiction measures has been to drive smuggling attempts to other regions of the country or to alternate modes of entry. Apart from the difficulties of intercepting smugglers and discovering hidden drugs, interdiction agencies face another basic problem: the quantity of drugs grown or produced each year so exceeds demand that interdiction agency seizures rarely have more than a short-term and localized effect on drug availability.

Theoretically, the street price of illegal drugs might provide indirect evidence about the effectiveness of interdiction efforts. If seizures increase and supply is thereby diminished, street prices could be expected to rise. Experience, however, is sometimes just the contrary. For example, during 1981-86 at the time of intensive Federal interdiction of cocaine trafficking - and a more than tenfold increase in quantities seized - the street price of cocaine actually declined by half.

Aside from preventing drugs from entering the market, interdiction should also discourage would-be traffickers. In general, interdiction should reduce the smugglers' options for choosing the time, method, and place for bringing illegal drugs into the United States. Interdiction should also increase the risks for smugglers but, the success of interdiction as a whole, and the extent to which technical improvements can improve interdiction, are very difficult to evaluate. We simply do not have the data to support conclusions about how successful we are now, what impact our efforts have, or what the situation might be otherwise.

2. **Data on drug smuggling, the trafficking system, and interdiction activities are inadequate for effective planning and management.** Such data are needed to make informed selection of best strategies, to allocate enforcement resources, and to guide the design and management of interdiction programs. Measures of effectiveness for interdiction are difficult to define precisely. The numbers and quantities of drug seizures are difficult to interpret without good knowledge about smuggling attempts. Often, intelligence reports provide the best information on the effect of interdiction efforts on smuggling activity.

Assessing the effectiveness of Federal interdiction efforts is severely hampered by the lack of reliable statistics on the amounts of drugs smuggled to the United States and the modes by which they are transported. Although estimates of smuggling traffic for the various illegal drugs by mode of entry have been made periodically by interdiction agencies, these estimates are based on indirect measurements, such as seizure patterns, and they should not be considered accurate.

Estimates of the number of smuggling attempts made by each mode are even more uncertain than estimates of the volume of drugs smuggled. There are no reliable statistics on the number of aircraft, vessels, vehicles, or persons engaged in smuggling, nor on the percentage that are intercepted by interdiction agencies. However, during its study, OTA made some rough estimates, for two of the modes, which are given below.

General aviation. OTA estimates that there are 1,300 to 3,500 private aircraft drug smuggling flights per year or about 3.5 to 10 per day. Historically, most smugggling flights have carried marijuana. However, the proportion of cocaine smuggling flights is steadily increasing. About half of general aviation seizures in 1986 have involved cocaine.

Private vessels. OTA's estimates of private ships and boats engaged in smuggling are based on the number of these vessels seized by interdiction agencies, estimated interdiction rates for drug volumes, and certain other assumptions. A possible 3,000 to 4,500 marine smuggling vessel trips are made per year, or about 9-12 per day. The great majority carry marijuana.

OTA was not able to make any estimates for commercial aviation, commercial vessels, or for smugggling attempts through and between ports of entry because not even minimal data were available for these modes.

3. Responsibilities among the Federal drug interdiction agencies are fragmented and overlapping. The lack of a suitable institutional framework is a major impediment to the adoption and effective use of technologies, particularly command and control systems, that could offer significant benefits. With the exception of special intensive operations, problems with interagency coordination and cooperation occur and no central authority addresses important strategic questions on priorities and resource allocation.

At the operational level there is a diversity of mechanisms used to facilitate cooperation and coordination among drug enforcement agencies. Successful cooperation and coordination generally rests on specific arrangements made by the officials in charge of regional enforcement units. Impediments to cooperation and coordination at the regional level are several. Each agency has its own structure, goals, operating style and communications system. For example, the Coast Guard and the Marine Branch of the Customs Service use different communications frequencies; operational units cannot communicate directly with each other. Even in the case of the Blue Lightning Operations Center in Miami, conceptually a joint Customs-Coast Guard-Marine command and control center, there is not yet a capacity to communicate directly with Coast Guard vessels.

Because both Coast Guard and Customs share responsibility for marine interdiction within the 12 mile zone, very close cooperation is necessary to conduct the most efficient operations. With the future introduction of new long-range surveillance systems that are capable of locating both air and sea potential targets, opportunities exist to centralize the operational command that these systems make possible, and the need for much improved coordination and cooperation will become even greater

4. The value of intelligence is very high for all aspects of drug interdiction. In particular, good tactical intelligence can mean a large increase in ability to identify smuggling attempts. In certain areas, intelligence gathering is limited by inadequate resources and an ineffective network to gather needed information and deliver it to the users in a timely fashion. Concerns about revealing sources and methods during court proceedings inhibit dissemination and utilization of classified intelligence.

5. No single technology has been identified that would solve the Nation's overall drug interdiction problem. But there are many opportunities for individual technologies to make incremental contributions to specific Federal interdiction efforts. These opportunities range from development of new technologies to procurement of increased numbers of existing technologies. However, most technological improvements, by themselves, may have only a temporary benefit because the drug traffickers will take rapid and successful actions to neutralize the effectiveness of new interdiction techniques.

Federal interdiction agencies face tremendous obstacles. Smugglers have shown great ingenuity in circumventing interdiction measures and use almost every conceivable means of transport and concealment.

A few statistics indicate the magnitude of the problems facing interdiction agencies. The borders of the United States are extensive: the land border with Mexico is over 2,000 miles, the coastline of the contiguous United States (excluding Alaska and Hawaii) is almost 5,000 miles, and the shoreline (including bays, sounds, etc.) of the contiguous United States is over 50,000 miles. There are 290 official U.S. ports of entry. Although most smuggling activities are concentrated in the South and Southwest, no region is immune from smuggling.

General problems encountered across all modes of entry include:

Difficulty in detecting targets. Smuggling vessels, aircraft, and other conveyances are often hard to detect. For example, they may be in transit (and therefore at risk of detection) for only short periods. They may operate in border regions where surveillance sensor coverage is sparse or lacking altogether. Their routes may be through areas that are remote or where conditions are unfavorable to interdiction agencies.

Inadequate technical and manpower resources. The surveillance devices available to agencies cannot detect all smuggling attempts into the United States, and long stretches of the border have essentially no surveillance. For example, even in south Florida, where Aerostat radars provide coverage of low altitude aircraft flights along much of the coastline, the coverage is far from continuous and smugglers with good information can easily choose the right time and place to avoid detection. Even when smuggling attempts are detected and positively identified by sensors or intelligence information, agencies do not always have sufficient pursuit vehicles or trained manpower to operate them.

Sorting. One of the most difficult tasks in interdiction is sorting smugglers from legitimate traffic. Depending on the time and location, many more conveyances may be detected than can be investigated. For example, on weekends thousands of boat types used by smugglers are present in South Florida and in such smuggling staging areas as the Bahamas. Unless smugglers behave suspiciously or intelligence is available, it can be extremely difficult to isolate suspects.

Difficulty in finding concealed drugs. Smugglers often conceal drugs to reduce the chance of detection if their conveyance or person is inspected. Concealment is almost always encountered at ports of entry, and the use of concealed compartments is increasing in private vessels. Few technical aids are available, and finding concealed drugs is often a challenging and time-consuming task.

Single technologies may be very effective in stopping smuggler's from using one mode of transport for a particular drug, but smugglers will likely respond by shifting to another transport mode. For example, a nuclear magnetic resonance (NMR) device developed by Customs can detect certain drugs within small packages directly. It may be used to search all letter mail for smuggling cocaine and heroin. But there remain many ways to smuggle these drugs that are not easily detected with current or emerging technologies. As another example, installing an "acoustic fence" at marine choke points could help prevent the use of such routes by marijuana smugglers, but without other measures to place pressure on other routes or modes of transport, the availability of imported marijuana is not likely to change over the long term. Some individual technologies may be useful in sorting potential smuggling targets, but may have a high false alarm rate. Use of additional sensors in a multiple screening system could potentially help reduce the false alarms to a manageable level.

6. **There is a serious lack of support for research, development, test and evaluation of new or transferred technologies within all of the drug interdiction agencies. Opportunities exist within other Federal agencies (especially the DOE and DOD laboratories) to provide some of the needed capabilities.**

None of the drug interdiction agencies has significant financial, organizational or personnel resources devoted specifically to developing drug interdiction technologies. Without a comprehensive development, test, and evaluation program for major technologies, future performance will be questionable and resources may be wasted.

Many recently acquired technologies devoted to border interdiction by the drug law enforcement agencies are not yet integrated into an effective comprehensive system designed to counter the formidable threat posed by international narcotics traffickers. These new technologies require considerable operational evaluation, operator training, and an overall system design before their potential can be realized. Many new systems have not had sufficient field testing to make judgements about their effectiveness. Lacking a uniform and comprehensive approach for the total Federal effort, each new sensor, platform, or other technology will have only limited future impact.

The field operators of the agencies involved in drug interdiction at ports to date have had limited technologies beyond basic vehicles, a few sensors and simple inspection tools for carrying out the very labor-intensive tasks required. Success in port of entry interdiction in recent years has usually resulted from hard work rather than technological advances.

The OTA assessment of interdiction technologies also suggests a range of options that could be employed by the Federal agencies in an effort to improve the effectiveness of future operations, increase success within their operational strategies and make more efficient use of resources. These options are not mutually exclusive but could be adopted individually or together. They are listed below.

- The principal interdiction agencies, under the direction of the Drug Enforcement Policy Board, the National Narcotics Border Interdiction System, or another central authority, could prepare a coordinated long-range plan for deployment of interdiction resources and technologies in applying pressure on major smuggling modes at ports of entry as well as air, marine, and land borders. This would entail matching resources to the present threat and developing a system to assure consistent monitoring of trafficking is fed into the planning process. The plan could include networks for intelligence and surveillance data as well as designated commands for specific arenas. OTA has noted throughout its study deficiencies in information and command networks and has stressed centralized planning.

- The interdiction agencies could establish a system and standards common to all agencies which would be used to evaluate deterrent capabilities and the effectiveness of technologies and techniques used for interdiction. The system would need to include specified data to be collected, standards for measuring detection rates and apprehension rates, consistent costing methods, and procedures for using the most appropriate data to evaluate systems or operations.
- For the port of entry interdiction problem, the Customs Service or another agency could establish a substantial R&D program to develop more effective detection technologies. OTA has found that there is some promise of technological advancement in this area but R&D efforts are too small to conduct needed work. National laboratories may also already be available to provide the technical base for a major R&D effort. OTA has made suggestions for specific program elements in its report.
- For surreptitious border entry interdiction (air, marine, and land) a cooperative agency group could design a border surveillance detection network for smuggler traffic. OTA has found that sufficient technologies (mostly military) are available to address this problem, but that an overall system design for deployment is lacking.

Command, Control Communictions and Intelligence (C3I)

One aspect of Coast Guard and Customs operations examined during the course of the OTA study was command, control, communications, and intelligence (C^3I) capability. Effective interdiction requires che ability to gather and integrate information from a variety of sensors, to make prompt and correct tactical decisions, to direct and coordinate the deployment of resources, and to communicate rapidly and securely with field units. Exercise of these functions calls for a C^3I facility that is -- in effect -- a combination of an operations control center, a resource management facility, a communications complex, and an information clearinghouse. The crucial importance of C^3I function is illustrated in the operational diagram, which shows the flow of information to and from the central command and control block.

At present, the Coast Guard and the Air and Marine Programs of the Customs Service each have separate command and control centers and communication networks. The Coast Guard has a comprehensive nationwide command system structured by district, each exercising control of all Coast Guard activities and funtions in their geographic area of jurisdiction. The Customs Air Program has four operational control centers. Three of these (Miami, Houston, and Albuquerque) are located in FAA Air Route Traffic Control Centers, and the fourth is at the Air Force Regional Operations Control Center in Riverside, California. In 1986, the Customs Marine Program established in Miami a new command center expressly for interdiction of seaborne drug traffic. A second marine center has recently been completed in Houston, and a third is under construction in Gulfport, Mississippi.

These three sets of C^3I facilities -- Coast Guard, Customs Air, and Customs Marine -- operate more or less independently of each other, even though they may be only a few miles apart and carrying out operations in the same area.

There is little commonality in technology among these three kinds of C^3I facilities. Each has data processing and communication equipment that differs from the others' in terms of capability, sophistication, and operational characteristics. In some cases, this is of little practical consequence, but in some important respects the differences give rise to fundamental incompatability that precludes cooperation and coordination.

One area where the lack of common equipment is particularly acute is voice radio. Both Coast Guard and Customs have on-going efforts to upgrade their communication capability, especially the acquisition of voice-privacy radio equipment that cannot be monitored by drug smugglers. A more serious deficiency, however, that has not been addressed is standardization of radio equipment between the two agencies and establishment of common operating frequencies. As it stands now, field units of one agency cannot communicate with units of the other except by circuitous and cumbersome arrangements. In some instances, they cannot communicate at all. For instance, the Customs' Blue Lightning Operations Center in Miami cannot communicate directly with Coast Guard vessels that may be in the same waters as Customs vessels. One of the lessons learned in the Hat Trick I and II operations was that lack of communication among participating agencies and sometimes even between air and marine units of the same agency was a major impediment to coordinated action.

The current procedures for sharing intelligence are sometimes cumbersome and not always effective. The Coast Guard, Customs Service, and DEA each have separate intelligence activities. They do not always coordinate intelligence collection or distribute vital tactical intelligence in a timely way. In some cases, the three agencies do not have secure communication links with each other and so cannot relay time-sensitive information even if they are disposed to.

Perhaps the most serious problem is not technological, but organizational. Coast Guard, Customs, and DEA have not established procedural agreements and protocols that would allow tactical cooperation on a specific and ad hoc basis. Operational units of one agency usually cannot be tasked by another to provide support or to coordinate activities. Where working agreements may exist, they typically require advance notification in terms of days, or perhaps weeks, and do not extend to coordination and support of operations in progress.

These deficiencies, which are essentially shortcomings of the C^3I function, may become more crippling as new forms of technology are introduced by the Coast Guard and Customs in coming years. New long-range sensor systems, for example, offer opportunities to expand greatly the scope of operations. To take full advantage of these sensors, however, the span of control must also be increased and communication networks must be extended and made more rapid and flexible. Interoperability becomes all the more important in a C^3I facility that may cover an area of thousands of square miles and include a variety of air, marine, and land units.

Many aspects of C^3I design and operation need attention but, from OTA investigations, the following stand out as critical:

- The quality of surveillance and intelligence data coming into the network.
- The completeness and security of the communications network.
- The protocol for tasking various assets in the field especially with different agencies and branches involved in single operations.

The design and implementation of C^3I technology in these three critical areas will determine what can and cannot be expected from the interdiction system. If surveillance or intelligence or communication or tasking-protocol is limited, the C^3I will be limited, and the most sophisticated data processors and displays will not be able to compensate.

It would be prudent to consider the following when developing the next generation system:

Handling and Integrating Sensor Data. A C^3I center should be designed to handle data from specific sensors such as ground radar, airborne radar, aerostat radar, etc. New sensors that may be deployed in the future would add to the information base. For example, if the Air Force Over-The-Horizon (OTH) radar could provide adequate coverage of the Caribbean in 3-5 years, the C^3I system should be capable of being absorbing and integrating OTH inputs. Also, if the Coast Guard's mobile aerostats can fill gaps in air or marine surveillance, these data should be brought into appropriate C^3I centers.

Modal Coverage. It may not be practical to integrate all air, sea, and land border surveillance in one C^3I network but there are a number of situations where integration is very desirable. For example, in South Florida smugglers often use aircraft and boats together in their transport system. In addition, it is often more effective to track or apprehend small, fast boats with helicopters than with high speed chase boats. Central command of air and sea assets would be essential under these conditions.

Geographic Coverage. Wide geographic coverage of surveillance systems leads to wide-reaching C^3I networks. In some cases, however, the complexity of traffic, sensors characteristics, and techniques of interception may make small area coverage more desireable. If appropriate, local control of marine interdiction operations in Caribbean choke points or land operations along certain Mexican border regions should be possible.

Intelligence Capability. C^3I centers need access to a variety of intelligence data. Since some data may be from classified sources, it is important to consider security. The ability to task intelligence agencies for specific tactical or operational purposes is another capability that would be vital to incorporate. The C^3I concept can also provide a unique capability to monitor smuggling threats and to improve the capability of making predictive threat estimates, providing the available data are collected and analyzed with this objective.

Multi-Agency Tasking. Multi-agency operations are difficult to manage within a C^3I center unless prior agreements establish a system for coordination, cooperation, and support. Since tracking and interception of smugglers requires so many costly assets, efficiency can only be obtained if agencies and their specialized branches can work together. The Federal Government may not require reorganization to do this but more extensive field operating agreements are needed.

Flexibility. As interdiction reaches a level of success against one mode of transport, smugglers will undoubtedly switch operations to other modes or areas of lower risk. It is, therefore, important to build in flexibility to any C^3I center.

In sum, there are numerous opportunities for technological improvements in the border war on drugs that could lead to more effective use of Federal resources. Interdiction alone will not solve the nation's overall drug problem but it can deter and increase risk for some smugglers, force them to switch modes and tactics and contribute to investigations of trafficking organizations. The importance of C^3I in any interdiction operation is well established. The drug interdiction assets of both the Customs Service and the Coast Guard would be enhanced by the introduction of more effective and comprehensive C^3I networks but it is vital that the network designs be based upon clear strategies, coordinated operational concepts and a comprehensive plan.

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Congress of the United States
OFFICE OF TECHNOLOGY ASSESSMENT
WASHINGTON, DC 20510-8025

JOHN H. GIBBONS
DIRECTOR

Attachment A

April 15, 1987

SENATE PERMANENT
SUBCOMM. ON INVESTIGATIONS
RECD APR 20 1987
MINORITY OFFICE

Ms. Eleanore J. Hill
Chief Counsel
Permanent Subcommittee on Investigations
Committee on Governmental Affairs
United States Senate
Washington, D.C. 20510-6250

Dear Ms. Hill:

Attached are OTA's replies to the questions contained in your letter of March 30, 1987.

The responses are provided in two versions: one intended for insertion in the published report of the Subcommittee's hearing at which OTA testified, the other an annotated version providing references to the classified technical annex to the OTA report on drug interdiction technologies. A copy of the classified technical annex has already been furnished to the Subcommittee. We ask that the technical annex and the references to it in the annotated version of our replies not be made part of the public record of the hearing.

We appreciate this opportunity to be of assistance to the Subcommittee and will be happy to supply any additional information that you may require.

Sincerely,

Peter A. Johnson
Project Director

Enclosures:
A-Responses to Subcommittee
B-Annotations

Q. Do you have any statistics on the effectiveness of the Customs Service inspection of commercial cargo? How many pieces are examined and how extensive are their searches?

A. There are few data available to assess the effectiveness of Customs inspection of commercial cargo. To obtain a general indicator of Customs effectiveness in interdicting heroin passing through ports of entry, we compared Customs estimates for heroin traffic in 1985 with seizures from air, sea, land, and mail conveyances. Only for seizures from sea conveyances were we able to distinguish the volume found in cargo from that brought in by passengers and other methods. In this limited case, the heroin seizure rate was about 3 percent (32 kg seized from the 974 kg estimated to have been imported in sea cargo in 1985). Similar analysis was not possible for other drugs because of the lack of threat and seizure information for cargo shipment alone.

According to information provided by Customs, most cargo entering the United States is not physically examined; clearance involve only document reviews. Between 20 and 25 percent of the cargo entering the U.S. is identified as high risk, for drugs as well as for other types of contraband or for revenue purposes. High-risk cargo is subjected either to an intensive enforcement examination or to a brief compliance examination. The intensive examination involves either the partial or total unloading and examination of the shipment. About 3 percent of cargo entering the country is so examined. The remaining high-risk cargo receives a brief compliance examination, which involves inspecting one or more items in the shipment.

Adequate records on cargo examinations are maintained only for cargo containers. Customs inspects containers that arrive in the United States with merchandise and those that arrive empty. In 1984, about 10 percent of the 380,000 empty cargo containers that entered the country and 2 percent of the 2,900,000 containers with cargo were examined. The following table shows a regional breakdown of the numbers of full and empty containers that were received and examined in 1984.

NUMBERS OF CONTAINERS RECEIVED AND INSPECTED
BY CUSTOMS REGIONS - FY 1984

	Full Containers			Empty Containers		
Region	Number	Inspected	Percent	Number	Inspected	Percent
Northeast	289,861	4,470	1.5	17,166	1,032	6.0
New York	632,134	4,541	0.1	40,993	1,382	3.4
Southeast	401,985	19,176	4.8	168,140	28,258	16.8
North Central	620,141	12,966	2.1	413	413	100
Southwest	105,595	1,851	1.8	36,859	1,510	4.1
South Central	99,405	3,588	3.6	22,684	3,852	17.0
Pacific	750,628	8,001	1.1	92,363	2,007	2.2
TOTAL	2,899,749	54,593	1.9	378,618	38,454	10.2

Q. What was the basis of your finding that there are 3.5 to 10 smuggling planes entering the U.S. per day? What is the significance of these numbers in light of our nation's drug policies?

A. OTA examined six estimates of the air smuggling threat made by various Federal agencies in the period 1980-1986. These studies were:

1. Vail, W.A., et al, Threat Assessment: Methodology and Analysis, Stanford Research Institute for U.S. Customs Service (Contract N00014-78-C-0826), Mar. 1980.
2. National Air Threat, 1983. U.S. Customs Service, Office of Enforcement, Office of Intelligence Support, Intelligence Division.
3. Worldwide Narcotics Threat Assessment, U.S. Drug Enforcement Administration, Office of Intelligence, Jun. 1984 (Confidential).
4. Joint Surveillance Committee, National Narcotics Border Interdiction System, Draft Report, 1984.
5. Narcotics Intelligence Estimate, 1984, National Narcotics Intelligence Consumers Committee.
6. 1986 Drug Smuggling Threat, U.S. Customs Service, Office of Intelligence.

The first two contained direct estimates of the number of flights bringing drugs into the United States. The others provided estimates only of the total quantities of marijuana and cocaine smuggled by aircraft for given years. The number of flights could be inferred, however, from statistics provided by the El Paso Intelligence Center on the average weight of air shipments seized for each data year, i.e., (estimated quantity smuggled by air – average seizure weight) + aircraft seized = total smuggling flights. The estimates thus obtained from the six studies varied widely, ranging from a low of 1,150 to a high of 7,600.

OTA also made an independent analysis, using 1985 data on drug smuggling from the National Narcotics Intelligence Consumers Committee, estimates from the Customs Service Intelligence Division, and EPIC reports of air threat indicators (drug-related aircraft thefts, crashes, lookouts, and seizures). From this analysis, we concluded that the best approximation of the current air smuggling threat was 1,300 to 3,500 flights per year nationwide (or about 3 1/2 to 10 flights per day).

It is evident that the magnitude of smuggling by private aircraft is highly conjectural. Not only do estimates made at different times by different agencies vary widely, the analysis upon which they are based is largely inferential. It is extremely difficult to place an exact figure on an activity that is clandestine and where there is no objective and reliable method to verify the extent of the traffic.

Still, the evidence -- albeit tenuous -- suggests that the transport of drugs (principally cocaine) by private aircraft is a major mode of smuggling. Even if the estimates are only approximately correct, the policy implications are clear. If the overall effort to interdict drug smuggling is to be improved, surveillance of the airspace along the border and on the approaches to the United States needs to be strengthened and extended. Aside from the direct benefit of enhancing the ability of law enforcement agencies to detect and apprehend these flights, improved surveillance would also provide a more accurate picture of the magnitude and distribution of the air smuggling threat and permit interdiction agencies to devise more effective strategies and countermeasures.

Q. You also made an estimate of 9-12 smuggling ships entering per day. Is that nationwide? What is the basis for that finding?

A. Neither the Coast Guard nor the Customs Service has published estimates of the number of smuggling attempts by ships and small boats. OTA's estimate of maritime smuggling, derived from estimates of total private vessel traffic and seizure data for 1984 and 1985, is that there are approximately 3,150 to 4,450 sorties into all parts of the U.S. coast by drug-smuggling private vessels each year (or 9-12 per day), with 3,900 as a most likely average. These appear to consist of roughly 400 cocaine sorties and 3,500 marijuana sorties. This estimate includes all vessels involved. For example, a marijuana operation involving one mothership and five contact boats to bring the cargo to shore would count as six sorties.

Q. Are these number increasing or decreasing?

A. Data from the National Narcotics Intelligence Consumers Committee and DEA indicate that the total traffic in marijuana by all modes of smuggling remained roughly constant for 1981-1985. During the same period, cocaine traffic more than doubled. Customs Service threat estimates show similar trends.

The distribution of traffic by smuggling mode can be roughly estimated from seizure data and other indicators. Assuming that the number and quantity of seizures from each smuggling mode are generally representative of the traffic as a whole, the percentage of marijuana transported by private vessels has varied little in recent years -- running about 87 percent of all traffic in this drug from 1981 to 1985. Over the same period, marijuana shipments by private aircraft declined from 8 percent to 4 percent of the total traffic, with a corresponding increase in shipments by land across the Mexican border. The share of cocaine seizure from private aircraft fell from 75 percent in 1981 to 56 percent in 1985, while the share seized from private vessels rose sharply from almost none in 1981-1982 to 28 percent in 1985. There were also some very large recent seizures of cocaine in commercial cargo at ports. This apparent shift in the mode of cocaine smuggling might be partly explained by increased use of airdrops into offshore waters or by smugglers employing two-stage delivery tactics involving flights to airfields in the Bahamas with final delivery to the United States by small, high-speed boats. Although there is considerable debate about the magnitude of the shift in cocaine trafficking from private aircraft to other modes, most agree that air smuggling is decreasing.

Q. How would you assess the current system of surveillance and detection of aircraft?

A. At present, surveillance of the airspace on the border and seaward approaches to the United States is provided by three essentially separate systems. The most extensive is the nationwide FAA air traffic control radar network made up of air route surveillance radars and terminal area radars. This coverage relies heavily on cooperation by airspace users and generally does not extend below 10,000 feet except in the vicinity of airports. There are many gaps in the coverage of border and coastal areas at the altitudes where most drug-smuggling flights operate (under 1,000 feet, and often under 500 feet). The basic value of the FAA system is that it provides a general map of the airspace and the aircraft operating under FAA control.

The DOD air defense radar system is made up of ground-based radars (some operated jointly with FAA, others solely for military purposes), airborne early warning and control (AEW&C) aircraft, and aerostat radars. The ground-based radars provide mostly high-altitude coverage and have limited utility for spotting aircraft typically used by smugglers. The AEW&C aircraft (Navy E-2C and Air Force E-3A) used for patrolling offshore have proved effective in detecting smuggling flights, and both services provide support to Customs as an adjunct to routine operational and training flights and on missions flown specifically at Customs request. The Air Force operates two aerostats (at Cudjoe Key and Cape Canaveral) that routinely provide low-altitude surveillance of coastal areas.

The third surveillance system, and the only one for which drug interdiction is a primary mission, is made up of ground-based and airborne radars operated by Customs. The Cariball aerostat in the Bahamas covers a 65,000 mi^2 area east and south of Miami. Customs also operates two ground-based radars (one on Andros Island in the Bahamas, the other in Puerto Rico). Customs P-3As and Coast Guard and Customs E-2Cs perform surveillance over the Gulf of Mexico and along the southwestern land border. Customs interceptors and trackers equipped with search radar are sometimes used for random patrol in the Caribbean and Gulf of Mexico.

In the aggregate, the radar coverage provided by these separate systems is spotty. There are extensive gaps, especially at low altitudes. The FAA and DOD ground-based radars are continuously manned; DOD AEW&C support and the Customs radars operate intermittently. Thus, radar coverage is discontinuous in both space and time. With the exception of those under the direct operation control of Customs, drug interdiction is not the primary mission of any of these systems; and in some cases, searching for drug-smuggling aircraft may interfere with the primary mission.

Q. In your study did you evaluate the overall effectiveness of the Customs air interdiction operations?

A. Using data supplied by the Customs Service Air Program, OTA examined the record of air operations for FY 1984 and FY 1985. Customs air units made a total of 36 successful intercepts and seizures of private aircraft carrying drugs in FY 1984 and 63 in FY 1985. Comparing these results with the estimated number of drug-smuggling flights into the United States in those years (derived as explained above), it appears that the interdiction rate in FY 1984 was 1.0 to 2.8 percent. For FY 1985, the interdiction rate improved, reaching 1.8 to 4.8 percent. ("Interdiction rate" is the number of intercepts expressed as a percentage of the total estimated smuggling flights.)

These figures are nationwide averages, and there is considerable variation in the interdiction rate among air units. In south Florida, for example, the interdiction rate was 3.2 to 8.6 percent in FY 1985. In the same year on the West Coast, the rate was 0.3 to 0.7 percent, and on the East Coast from Virginia northward, the rate was 0. Generally, there is a positive correlation between the rate of interdiction achieved and the number and quality of equipment resources available to the individual air units.

Q. Do you have any data for 1986 for Customs?

A. Data were also obtained from Customs on the results of air operations for the first 11 months of FY 1986. Analysis indicates that the interdiction rate was essentially the same as in FY 1985, with respect to both the nationwide average and individual air units.

Q. How would a C^3I system affect these figures?

A. The Command, Control, Communication and Intelligence (C^3I) facility is the nerve center of air interdiction. The C^3I serves to gather and integrate information from a variety of sensors, to make tactical decisions, to direct and coordinate the deployment of interdiction forces, and to communicate with field units and centralized data bases. The C^3I is thus a combination of an operational control center, a resource management facility, a communications complex, and an information clearinghouse.

To the extent that the present Customs C^3I facilities do not perform these functions adequately, the overall success of air interdiction suffers to some degree. The principal deficiencies of the equipment and facilities now in use at the four Customs air operation control centers are 1) lack of integration of sensor data from different sources (FAA, DOD, and Customs) in a single comprehensive picture of the airspace, 2) inefficient or operationally cumbersome access to intelligence and aviation data bases maintained by other agencies, and 3) lack of computer aids for target classification and sorting. Another major problem is inadequacy of the communication network and equipment. Customs air units cannot now in all cases communicate by radio with Customs marine units, the Coast Guard, DOD bases or units, or police and tactical units on the ground. Secure voice links (either direct or relay) are also severely lacking.

Remedying these shortcomings and improving the overall ability to direct and control tactical operations are major goals of the C^3I procurement program now under way at Customs.

Q. Your second finding concerned the lack of effective data on drug smuggling. What's the significance of your second finding?

A. There are several deficiencies in the data on drug smuggling issued by Federal law enforcement and intelligence agencies. OTA found little agreement among the various official estimates of the amount of drugs entering the country, on the modes of entry, and even on quantities seized.

The National Narcotics Intelligence Consumers Committee (NNICC) issues prior year estimates of total quantities imported, derived from production estimates, seizures, and drug consumption indicators. The Customs Service prepares annual projections of the drug smuggling threat for the coming year. NNICC and Customs estimates rarely agree, and no attempt is made by either agency to reconcile the differences or to equate their methodology. Within each agency, there are unexplained fluctuations and inconsistencies in estimates from year to year.

The situation with respect to mode of entry and regional distribution of the smuggling threat is similar. There are variations and inconsistencies between and within agencies that cannot be resolved and that cloud the credibility of all published data.

The data on seizures are perhaps the worst. Each agency collects and reports seizures in its own way. Where several agencies are involved in a single operation, each may report the seizure as its own, but the amounts and even the place or date of seizure may differ. The DEA El Paso Intelligence Center (EPIC) is responsible for collation of seizure data from all sources; but because of agency rivalries, EPIC reports do not identify agency subtotals.

The most common problems encountered by OTA in analyzing and interpreting drug smuggling data were double counting, differing standards of estimating quantity or price, ambiguities about the mode of transport, and inconsistencies of reporting among sources within individual agencies. We could find no way to resolve these contradictions and ambiguities satisfactorily and thus could make no more than broad-range estimates or rough approximations of drug traffic and agency effectiveness.

The drug enforcement agencies do not appear to use systematic and consistent data collection and sampling techniques. Nor do they make full use of the data that they do collect as a basis for program evaluation and strategic planning.

The significance of this finding is simply that, given the chaotic state of recordkeeping and analysis among the drug law enforcement and intelligence agencies, the estimates of traffic and means of conveyance are little more than conjecture. Further, because there is so little firm knowledge about the threat, the agencies have no reliable way to judge the effectiveness of their efforts, to evaluate technologies and tactics, or to formulate revised strategies.

Q. Would you please submit for the record the detailed catalogue of technologies available for the drug interdiction mission that you discussed in your hearing testimony.

A. This information has been supplied to the Subcommittee. Because it includes details about equipment characteristics and performance that are classified for reasons of national security, we request that it not be made part of the public record.

Q. Referring to the first chart you brought here today, you list the drug interdiction agencies as well as the estimated traffic they have to deal with. Looking at the distribution of responsibility, can you tell us what Customs' jurisdiction includes?

A. The Customs Service is charged with combatting smuggling by private aircraft, by private vessels in near-shore waters, and by all modes at air, sea, and land ports of entry. Customs also has statutory responsibility for preventing smuggling across land borders between ports of entry, but the primary patrol and enforcement effort is carried out by officers of the Border Patrol of the Immigration and Naturalization Service, who perform drug law enforcement duties as an adjunct to their primary mission of preventing illegal immigration.

Under Operation Alliance, arrangements have been made between INS and Customs, and between INS and DEA, to give some Border Patrol officers the authority to search specifically for drugs and arrest violators, duties ordinarily reserved to Customs under Title 19 and DEA under Title 21 of the U.S. Code. It is our understanding that most Border Patrol officers are being cross-designated by Customs and that all Border Patrol officers have been given DEA cross-designation. A team of DEA and Border Patrol officers has been established to conduct brief, intensive operations in regions with high levels of smuggling activity.

Q. Based upon your study and in light of the capability of drug smugglers to continually change their mode of operation, are we now seeing, and will we continue to see, a greater use of legitimate carriers for smuggling?

A. There are indications that cocaine smuggling is a growing problem at ports of entry. The number and quantity of cocaine seizures at ports of entry increased between 1981 and 1985. The proportion of cocaine seized at ports relative to other smuggling modes varied widely during this time period. Recent recordbreaking cocaine seizures and the discovery of major smuggling operations at ports might appear to indicate increase in the use of commercial carriers. However, this trend is not certain and the interdiction agencies should probably continue to monitor the indicators carefully.

The number and quantity of heroin seizures at ports of entry also increased between 1981 and 1985. Almost all of the heroin smuggled into the country during this time period is thought to have passed through ports of entry. The only change that could be anticipated for this drug is an increase in land crossings between ports of entry, as the amount of heroin smuggled from Mexico increases.

Data for marijuana seizures at ports of entry are uncertain and the quantities transported by this mode appear to be very small compared to that by private vessels and aircraft.

Q. Based upon your study, is Customs prepared technologically or in manpower for this change in the smugglers mode?

A. OTA found that few technological aids are in use at ports of entry, and very little R&D in such technologies is being carried out by the Customs Service. There have been few analytical studies to demonstrate a correlation between drug seizures and the use of various technological aids or the number of personnel assigned to inspection. However, anecdotal evidence suggests that more seizures result when inspectors work harder and technological aids are used by well-trained personnel. Thus, greater availability and use of technologies such as X-ray equipment, detector dogs, fiberscopes, and automated data bases may well result in more seizures. Inspectors would especially like to see greater availability of simple tools (such as cordless drills and probes) and more equipment such as car washes and vehicle scales to aid inspections. Thus, technologies may offer not only benefits of improved detection capability but also greater efficiency in what is now a very labor intensive process.

Manpower levels did not change significantly between 1981 and 1985, a period of increasing drug seizures at ports of entry. These seizures may be attributed to introduction of specialized Contraband Enforcement Teams, most of which are assigned exclusively to drug interdiction. The increased seizures may also be attributed to more widespread use of selectivity procedures to identify high-risk traffic for detailed inspection. However, Customs has not performed an analysis to determine the specific results of each approach.

Q. Based upon your study, which agency is best suited to handle the air interdiction/marine interdiction efforts?

A. OTA's analysis cannot support a judgment about which agency would be better suited to handle specific assignments. The missions, resources, and operating methods of the Customs Service and the Coast Guard are vastly different, and both have unique capabilities and limitations.

OTA did find, however, that fragmented and overlapping responsibilities have seriously hampered interdiction efforts. It would therefore be appropriate to consider ways in which the resources of the interdiction agencies could be pooled to achieve greater effect. This might be accomplished by specific interagency agreements on cooperative undertakings or by designation of a lead agency for operations in particular areas where jurisdictional boundaries are not clear or where present independent actions are not achieving satisfactory results.

Q. How effective are our surveillance efforts?

A. Using data supplied by the Customs Service Air Program, OTA calculates that for the years FY 1985 and FY 1986, as few as 5 percent and not more than 15 percent of drug-smuggling flights were detected as they penetrated the border. These estimates are for the border as a whole; and, like other measures of effectiveness of Customs air operations, they must be interpreted with caution. There is wide variability from sector to sector due to the extent and quality of radar coverage of the airspace, particularly at altitudes less than 1,000 feet above ground level. Also, Customs does not have sufficient personnel and funds to man all radar installations and patrol aircraft on an around-the-clock basis. Therefore, the detection rate might be somewhat higher if the calculation were based only on the hours that surveillance systems are actually operating.

In south Florida, where there is a heavy concentration of aerostat radars and radar-equipped patrol planes operated by the Customs Service or by the armed forces in support of Customs, the rate of detection may run 15 percent and perhaps as high as 25 percent. Elsewhere, such as along the Texas, New Mexico, and Arizona border with Mexico, where radar coverage is sparse, the detection rate is perhaps on the order of 3-5 percent and probably no higher than 10 percent.

A second reason for the variability of these estimates and, hence, uncertainty about the rate of detection is lack of reliable information about the magnitude of the air threat. Without more precise knowledge of the number of flights seeking to penetrate the border, it is difficult to judge whether radar coverage is effective except in general terms. To illustrate, recall the OTA estimate that the nationwide air smuggling threat is 1,300 to 3,500 flights per year. If, hypothetically, 200 of these flights were detected, surveillance might be judged 15 percent effective if the lower number of flights were assumed, but only 6 percent effective if the higher estimate were used.

Q. Why only effective 20% of the time?

A. See the preceding response.

Q. Can you assess the two methods: patrol craft vs. aerostats?

A. It is OTA's view that aerostats and patrol aircraft are not competing but complementary methods, with each offering advantages to offset shortcomings of the other. The ideal approach would be a combination of fixed and mobile platforms. Aerostats could be used to provide the primary fixed surveillance barrier in areas of high drug trafficking, with patrol aircraft to fill gaps, to scout other possible routes, and to provide mobility for special operations.

The radar surveillance platforms now used to detect drug-smuggling aircraft consist of E-2C aircraft equipped with AN/APS-138 radar (two operated by Customs, two by the Coast Guard, and several others by the Navy in general support of drug interdiction), E-3A aircraft equipped with AN/APY-1 radar (operated by the Air Force in support of Customs), four P-3A aircraft equipped with AN/APG-63 (F-15) fire control radar acquired by Customs from the Navy in 1986, and aerostat-mounted radars (one operated by Customs and two by the Air Force). The procurement and operating costs and selected performance characteristics of these platforms are summarized in the attached table. With the exception of the AN/APG-63 in the P-3A, the radars installed in these platforms are of approximately equivalent capability.

In terms of acquisition cost and operation and maintenance cost, aerostat radars are more economical than patrol aircraft. They also have the advantage of being able to remain aloft for periods as long as 30 days, providing continuous coverage of the airspace. Patrol aircraft can remain on station no more than a few hours.

However, the radar scan volume that can be covered by a typical aerostat is roughly half that of the E-2C or E-3A aircraft. Thus, two aerostats would be needed to provide the same instantaneous volume of coverage as one E-2C or E-3A. Even so, aerostats appear to be the more cost-effective way of maintaining a surveillance barrier. Two aerostats, with a combined acquisition cost of $30-35 million and annual O&M costs of about $8 million, could provide the same around-the-clock surveillance as nine E-2Cs (costing a total of $315-360 million to acquire and $35-52 million to operate) or six E-3As (with $720 million total acquisition cost and $87-131 million annual O&M).

The P-3A aircraft, while it has very long range and endurance and favorable operating costs, is hampered by the radar that is presently installed. This radar (AN/APG-63) is an airborne fire control radar originally designed for the F-15 fighter. It is ill-suited for wide-area surveillance because of its limited detection range and scan volume, which is restricted to a cone of 120° about the nose of the aircraft (the other platforms discussed here all have 360° radar). Installation of the AN/APS-138 (E-2C) radar and radome in the P-3A, which has been proposed by Lockheed, is an attempt to overcome the limitation of the F-15 radar and to take full advantage of the performance characteristics of the P-3A as a surveillance platform.

Aerostats have two operational disadvantages. They are vulnerable to high winds and lightning and must be brought down when these adverse weather conditions prevail. Patrol aircraft are much less affected by weather conditions, and they can avoid severe storm centers and still maintain radar coverage of suspected smuggling routes. The other disadvantage of aerostats is that they are fixed. Their location is readily known to smugglers, who can fly around or over the cone of surveillance. Patrol aircraft can easily vary their station and search patterns to deceive smugglers.

COMPARISON OF RADAR SURVEILLANCE PLATFORMS

	Patrol Aircraft			Aerostats	
	E-2C Hawkeye	E-3A AWACS	P-3A Orion	Customs Cariball	USAF Seek Skyhook
Unit Acquistion Cost ($ million)	35-40	120	13*	15-18	16-18
O&M Cost per Hour ($ thousand)	4-6	10-15	6-8	0.9	0.9
Single-Scan Radar Envelope (1000 nm^2)	135	150	2-3	65	65
Speed Enroute (kn)	320	420	320	Not Applicable	
Time on Station 200 nm from base (hr)	3.5	10.5	12.0	Not Applicable	
Number Needed for 30-day Single Station Coverage	7-11	6	5	1	1

* Airframe cost only; add $4 million for F-15 radar and IR equipment and modification costs. If the P-3A were modified by addition of a radome and the AN/APS-138 radar, the acquisition cost has been estimated by the manufacturer to be roughly $55 million per aircraft, not including the radar and other sensors.

Q. Will increased aerostats alone be the answer to drug interdiction?

A. Increasing the number of aerostats deployed along the southern border would considerably improve the ability to detect smuggling flights, but more would have to be done to improve drug interdiction overall. As noted above, the most effective use of aerostats would be in conjunction with patrol aircraft equipped with long-range 360° radar that could be used for screening gaps in the radar picket line, intermittent search elsewhere, and support of special operations designed to shut down certain avenues for short periods.

Improved and more comprehensive surveillance capability, however important, will not by itself lead to more effective air interdiction. The detection of suspected smuggling flights must be backed up with a larger interceptor force that is capable of locating and tracking aircraft to their destination. The Citation II, with an airborne intercept radar and infrared tracking system, has proven suitably equipped for this mission. The Customs High Endurance Tracker (CHET) aircraft now being delivered are similarly equipped and have the added advantages of greater range and endurance, which are highly desirable for tracking flights that penetrate deep inland to deliver their cargo.

The technological requirement is not for new aircraft or airborne sensor systems -- those presently available are sufficient to the need -- but for a greater number. To capitalize on improved surveillance capability and to station interceptor teams at appropriate intervals and in uniform strength along the border would entail a fleet at least four times greater than Customs will have at its disposal when the eight CHETs now on order are added to the present six Citation IIs.

At some point, an air chase becomes a land or sea operation, and enforcement officers must reach the landing site or drop zone to take custody of drugs and persons. Speed, mobility, all-terrain capability, and the capacity to carry an adequate arrest force are essential characteristics of the vehicle to be used for this purpose. Since the destination is not usually known in advance, the vehicle carrying the arrest force may have to be in the air up to four hours, dictating that the vehicle must have the range and endurance, as well as the speed, to stay with the interceptor-tracker aircraft. The UH-60A Black Hawk helicopters now used by Customs have proved highly satisfactory. To take full advantage of improved ability to detect and track smuggling aircraft, more helicopter for apprehension would be needed, perhaps 8 to 12 more than the 8 Customs now has. Equipping these helicopters with an infrared tracking system would be a valuable addition for night operations and for tracking down smugglers who attempt to flee the landing site on foot or by car.

Q. In your study you state Coast Guard has "the most comprehensive C-3 system." How do you support that statement?

A. The Coast Guard has a military command structure, in which jurisdiction over coastal areas, inland waters, and parts of the high seas is divided among 12 districts. Collectively, the Districts include all of the U.S. coast line and waters in the Atlantic, Caribbean, Gulf of Mexico, and Pacific through which drug traffic passes into this country. Operational command is distributed from District Headquarters down to individual bases, stations, or cutters depending on the size of the operation and the degree of control or coordination needed. The command center at each District Headquarters has communication links to counterparts in other Districts and to the Commandant in Washington. This command structure is comprehensive in the sense that it embraces all areas of the United States and adjacent oceans where operations to interdict maritime drug smuggling might occur.

Q. Could the Coast Guard C-3 system form the basis of an air C^3I system?

A. The command structure of the Coast Guard might serve as the basis of an air C^3I system, but it would probably require substantial modification. To conduct air operations on a scale that may extend over 1,000 miles or more offshore and penetrate deep into the interior of the country would require some consolidation of command. Along the southwestern land border, where the Coast Guard now has scant presence, new bases would have to be established.

The present Coast Guard command and control centers do not have facilities for real-time display of surveillance and tactical data, which is needed for proper conduct of air operations. This capability would have to be acquired, as would additional data and voice communication links with FAA, NORAD, Navy air operations centers, and local law enforcement agencies

Q. What did OTA conclude concerning future C^3I systems?

A. OTA's prepared statement presents our basic findings concerning the present Customs and Coast Guard C^3I facilities and the requirements for future C^3I systems.

To summarize, the essential features of the next generation of command, control, communication, and intelligence facilities for drug interdiction are:

- Integration of Sensor Data. A C^3I center should be designed to handle data from a variety of sensors such as ground radar, airborne radar, aerostat radar, etc. As new sensors are deployed in the future, the C^3I system should be capable of being absorbing and integrating these inputs into the data base.

- Modal Coverage. It may not be practical to integrate all air, sea, and land border surveillance in one C^3I network, but there are a number of situations where integration is very desirable--for example, in south Florida smugglers often use aircraft and boats together in their transport system. In addition, it is often more effective to track or apprehend small, fast boats with helicopters than with high-speed chase boats. Central command of air and sea assets would be essential under these conditions.

- Geographic Coverage. Wide geographic coverage of surveillance systems leads to wide-reaching C^3I networks. In some cases, however, the complexity of traffic, sensor characteristics, and techniques of interception may make small area coverage more desirable. If appropriate, local control of marine interdiction operations in Caribbean choke points or land operations along certain Mexican border regions should be possible.

- Intelligence Capability. C^3I centers need access to a variety of intelligence data. Since some data may be from classified sources, it is important to consider security. The ability to task intelligence agencies for specific tactical or operational purposes is another capability that would be vital to incorporate.

- Multi-Agency Tasking. Multi-agency operations are difficult to manage within a C^3I center unless prior agreements have been made for coordination, cooperation, and support. Since tracking and interception of smugglers requires so many costly assets, efficiency can only be obtained if agencies and their specialized branches can work together.

- Flexibility. As interdiction reaches a level of success against one mode of transport, smugglers will undoubtedly switch operations to other modes or areas of lower risk. It is, therefore, important to build in flexibility to any C^3I center.

Q. What do you mean by flexibility?

A. Flexibility, as an attribute of C^3I design, refers to the ability to redeploy resources, alter operational routines, and adopt new tactics in response to changes in routes, modes of conveyance, or evasive measures employed by smugglers. In part, this is a matter of the skill and resourcefulness of the personnel operating the C^3I. But, it is also a feature of equipment and software design. The C^3I design must be able to accommodate new sensor inputs as new surveillance systems become available and to display data in a variety of formats and scales. Computer algorithms to aid in sorting and classifying targets must be readily reprogrammable to keep abreast of new smuggling techniques and tactics. It must be possible to reconfigure communication links quickly to accommodate new deployments of forces and to respond to changing operational conditions.

Q. Could you describe in more detail the significance of a "protocol for tasking?"

A. Tasking is a military term that refers to actions by those exercising command and control in deploying and using their resources or in obtaining support from organizations and tactical units over which they do not have command authority. For units under the command of a C^3I, tasking is accomplished by formal mission assignments and by standing and special operational orders. For units over which the C^3I does not have command but where there is a prior arrangement for requesting and receiving support, an operational protocol is used. The tasking protocol specifies the type of support, the conditions under which it can be rendered, and the procedures for coordinating the response of the support agency.

In the case of drug interdiction, it is important that tasking protocols cover three basic kinds of support: 1) standing agreements for the use of equipment or assignment of personnel, 2) special limited-term responses or joint undertakings, and 3) ad hoc requests for assistance in particular operations or emergencies. It is also essential that tasking protocols specify how command and control are to be exercised in each situation and to what degree, if any, the support agency surrenders authority over operational units to the recipient.

What makes tasking protocols particularly important in cooperative undertakings like drug interdiction is that they provide the mechanism for coordinating action in circumstances that cut across established formal divisions of responsibility or authority.

Q. How could Over-the-Horizon (OTH) radar affect drug interdiction?

A. Even with the additional aerostats and aircraft authorized by the Anti-Drug Act of 1986, interdiction will be hampered by resource limitations. Many possible routes of penetration still cannot be covered; and for those that are, the resources are too few to permit around-the-clock presence. To strengthen the barrier against smugglers, more areas need to be covered as continuously as possible. At the same time, the location of the surveillance barrier needs to be extended farther from the U.S. border to give interceptor units early warning and longer response time. To implement this strategy with present technology, picket lines (long-range patrol craft or aerostat radars with wide-area surveillance capability) would have to be established well offshore to screen the southern approaches to the United States.

This barrier strategy would be a heavy consumer of technological and manpower resources since it requires that a large number of surveillance installations and platforms be kept in place and operated continuously. It also depends heavily on the ability of these picket units to achieve a high probability of detecting and identifying suspicious penetrations since the barrier would be relatively shallow. False alarms and maintaining coverage of gaps are significant operational problems that would be costly to resolve.

An alternative to the picket-line strategy is the concept currently employed by the armed forces as a strategy of national defense. Instead of setting up a single defensive barrier, the military approach is long-range outer-zone surveillance to provide alert of suspected intruders and to guide for search aircraft that are vectored into position to obtain more complete and accurate target information before committing to a response. The basic strategy is to establish concentric zones, each acting as screen for successively detecting, sorting, tracking, and eventually intercepting identified threats.

This strategy has three principal advantages. First, it is not dependent on high probability of detection and positional accuracy at the far limits of surveillance. It requires only that the probability of detection increase as intruders near U.S. territory. Second, it leads to efficient utilization of scarce or high-cost resources by permitting a staged response that progressively narrows the focus of operations to fewer and fewer targets that are determined to be highly probable threats. Third, it allows response to be planned and timed in a way that is of greatest advantage to defensive forces.

The advent of over-the-horizon radar (the Air Force OTH-B and the Navy ROTH-R systems) provides an opportunity for more extensive application of an in-depth defense strategy in drug interdiction. Over-the-horizon radar is the key technological element since it is a long-range, wide-area, and centrally located surveillance system that can monitor a very large search volume on a continuous, real-time basis.

The greatest economy of over-the-horizon radar would be elimination of the need for long and operationally expensive barrier patrols, where aircraft or ships spend hours on station searching for possible intruders. By providing detection and sorting at long range, surveillance by OTH radar would economize on patrol craft by using them only for short sorties to carry out cued search and tracking to a point where interceptors could be called in for further pursuit.

A second economy could be realized through reduction of the required interceptor force. For example, because of the rather short lead time provided by current surveillance systems and the range and endurance limits of the aircraft used for intercept, tracking, and apprehension, air bases must be siutated at intervals of about 250 mi to assure that an interceptor will be in position to pick up a smuggling flight as it crosses the border and that tracker and apprehension aircraft will be available as needed.

The interdiction force needed to meet the same conditions under an in-depth defense strategy could be smaller. Since advance warning from OTH radar would be longer, the interval between interceptor bases could be greater. With warning time on the order of two hours or longer and with more precise information about target course and speed, interceptors could be shifted along the border to take up a blocking position -- landing to refuel, if necessary, before carrying out the actual intercept. Tracker and apprehension units could be similarly staged and maneuvered. This could reduce the number of required bases to about half (assuming an operating radius of 500 mi), with some further economy in the size of the aircraft complement at each base because of greater centralization.

The OTH radars now under development for the Air Force and the Navy are not specifically intended to track targets with the characteristics of drug-smuggling aircraft, but these aircraft are detectable by OTH radar. The OTH radar could be adapted for tracking smugglers by adding a processor with software tailored to the drug interdiction mission.

The OTH radar concept outlined here would have to be studied more closely and subjected to operational evaluation before adoption. Fortunately, both the Navy and Air Force OTH programs are still in a developmental stage where this examination could be carried out at relatively little cost to drug interdiction agencies and without affecting the scheduled military deployment of these systems. The suggestion advanced here is that drug interdiction agencies take advantage of this opportunity to explore a technology that might prove to be of great long-term value in strengthening the border defense against drug smuggling.

Q. Is anyone now studying OTH for drug purposes?

A. To our knowledge, neither the Customs Service nor the Coast Guard is actively studying the potential application of OTH radar to drug interdiction.

Q. What does your study tell us about the future of interdiction efforts?

A. Interdiction, though an important element in the Government strategy to combat drug use, will not by itself shut off the flow of illegal drugs into this country. Still, it is national policy to maintain pressure on drug traffickers by aggressive and persistent interdiction so as to disrupt smuggling networks, to deter would-be smugglers, to force some out of business, and to demonstrate a national resolve to defend ourselves against this traffic.

OTA identified no single technology that could solve the overall interdiction problem. There are many technologies that could improve some aspect of Federal Government efforts. If all could be brought to bear, interdiction would be significantly more effective than it is now. Experience has shown that, when faced with more effective interdiction, smugglers quickly adapt by changing routes or modes of entry, by altering their tactics, or by taking countermeasures. To keep pace, drug interdiction agencies must be equally energetic and inventive. Gains can be made, but it is not reasonable to expect that a clear and quick victory can be had or that the border war on drugs can be won by interdiction alone.

Q. What are the policy choices because of this?

A. The technology of interdiction is very costly and likely to become even more so as it increases in sophistication to overcome the advantages that smugglers now have. Capital investments in new technology may have short-lived benefits since they can be quickly outmoded by new tactics, new means of conveyance, and new methods of concealment. In developing and deploying new interdiction systems, Federal drug law enforcement agencies must therefore be careful in choosing not just those that offer immediate payoff but those that are also flexible and consistent with long-term needs. It is also important not to develop and acquire this new technology piecemeal in an effort to find quick solutions to pressing immediate problems. Thought should be given to how the parts will blend into the overall system and contribute in an evolutionary way to a successful strategy of interdiction.

For this technological approach, it is essential that there be a comprehensive policy to guide research, development, and acquisition. This policy must not only establish goals and assign responsibilities, it must also lay down guidelines on how goals are to be achieved and how progress is to be evaluated. An important corollary of this unified policy is establishing a scheme of data collection and analysis that will permit rational assessment of costs in relation to benefits and effectiveness. Without the ability to weigh prospective gains and actual accomplishments against expenditures, it will not be possible to make judicious choices among competing technologies and to chart a proper direction for future system development.

Q. Referring to your chart, where have most of our interdiction assets been spent; e.g., ports of entry vs. private vessel and craft?

A. In the period FY 1981 to FY 1986, between 55 and 65 percent of Federal outlays for drug interdiction have been to combat drug smuggling by private vessels. Most of these expenditures have been for Coast Guard operations. In FY 1986, for example, a total of $661 million was spent for drug interdiction. Of this, $350 million was allocated to the Coast Guard and $33 million to the Customs Service for marine operations. (These figures do not include funds for capital expenditures by the Coast Guard for cutters, aircraft, etc., which amounted to an additional $44 million.)

The second largest category of expenditure in FY 1981 through FY 1986 was for interdiction at ports of entry. In FY 1981, this amounted to about one-third of Federal outlays; in FY 1985 and FY 1986 about one-quarter.

In comparison, the funds allotted to interdicting air smuggling have been small. In the past three years, expenditures by the Customs air program have run between $61 million and $65 million per year, or slightly over 10 percent of the total interdiction budget.

The history of outlays by agency and program (including direct expenditures for interdiction and for support by other agencies) is summarized in the attached table.

Note that the figures supplied here, which come from Treasury, Customs, and DEA sources, are at variance with a recent report by the Drug Enfocement Policy Board, National and International Drug Law Enforcement Strategy, January 1987. A part of the difference is that OTA's figures are budget outlays while those of DEPB are budget authority. Also, the DEPB figures are agency totals that do not distinguish authorization for separate programs (air, marine, ports of entry, and support) within the Customs budget. OTA sought to reconcile these differences but could not because DEPB was unable to supply information on actual outlays and a breakdown by program for Customs. We believe the information in the accompanying table constitutes a reasonably accurate picture of the distribution of expenditures by agency and by mode of smuggling.

Budget Outlays for Drug Enforcement Programs
(Millions of Dollars)

	Fiscal Year					
	1981	1982	1983	1984	1985	1986
I. Interdiction Agency						
U.S. Coast Guard	175	195	280	305	325	350
Customs-Marine	13	13	12	26	47	33
Customs-Air	27	18	26	65	67	69
Customs-Ports of Entry	109	116	97	119	153	157
Customs-Support	13	15	31	39	45	52
Total Interdiction	337	357	446	554	637	661
II. Support by other agencies						
DOD	--	5	10	15	40	40
DEA	33	34	41	48	49	57
Other	2	3	3	3	3	4
Total support	35	42	54	66	92	101
Total interdiction and support	372	399	500	620	729	762

NOTE: The figures do not include FY 1986 Appropriations of $35M for the Air Force C-130 Gunship. Coast Guard figures do not include major acquisitions (cutters, aircraft, etc.). Interdiction support figures are very rough estimates. DOD figures do not include operating costs for training missions. DEA figures assume that 15% of DEA law enforcement expenditures are interdiction support.

SOURCES: 1984 National Strategy for Prevention of Drug Abuse and Drug Trafficking; Statement by Richard G. Darman, Deputy Secretary of the Treasury, before the House Committee on Government Operations, Subcommittee on Government Information, Justice and Agriculture, February 6, 1986; Statement by John C. Lawn, Administrator, Drug Enforcement Administration, House Appropriations Committee, Subcommittee on Commerce, Justice, State, and Judiciary, 1986; Customs Service, "Drug Abuse Summary," May 14, 1986.

Q. Do you have any data that the smuggler has changed his method at ports of entry?

A. OTA did not find clear evidence that smugglers have changed their methods at ports of entry. The quantities of drugs seized at ports from different means of conveyance varied during the period 1981-85, but this is not a reliable indicator. It might mean that smuggling methods have changed, but the differences could also be due to more effective inspection techniques used by Customs, to distortions produced by a few major seizures, or to simple chance.

If, however, one assumes that seizures are an indicator of smuggling methods, the statistics would suggest that cocaine smuggling through ports of entry increased from 1981 to 1985 while marijuana and heroin remained fairly constant.

Q. Were you able to obtain any data on the effectiveness of Condo radars and Blue Lightning Operation Center (BLOC)?

A. OTA could obtain only sketchy data on the effectiveness of Furuno FCR 1411 condo radars and the Blue Lightning Operation Center. To our knowledge, Customs has not conducted systematic evaluation of the condo radars, although we understand that some tests of a 25 kW Furuno X-band and a 65kW Raytheon S-band radar are planned at the Houston marine operation center later this year. The BLOC in Miami began operation in 1986, and no analysis of its effectiveness has yet been made.

The only cono radar test that we know of is reported in a review of the Customs Service marine program prepared by Systems Research Corporation for the Department of the Treasury in early 1986, before BLOC became operational. The test was conducted using a Customs 35-foot Cigarette boat as a target. On an approach course to the radar, the boat was not detected until it was about 1.5 miles offshore. After detection, the boat reversed course and was followed on the radar scope to a distance of about 6 miles offshore. Under good viewing conditions, visual observation would produce equal or better results.

OTA also obtained specifications from the condo radar manufacturer and made an independent calculation of maximum detection ranges for targets of various size. For a target with the radar cross section of a typical "go-fast" boat, the theoretical maximum range is only slightly greater than the 6 miles obtained in the test cited above. From this, we conclude that there are probably significant gaps in the condo radar coverage along the Forida coastline.

Q. Do you know of any seizures directly related to the condo radars at the BLOC?

A. The data on marine seizures supplied to OTA by Customs were not sufficiently detailed to permit identification of the specific units involved. From anecdotal evidence, we understand that seizures have been made from vessels in the near-shore waters off south Florida since the time that BLOC became operational, but we do not know what role the center played in these events. We also understand that the Customs Service has recently prepared a report of operational results at BLOC, but we have not yet had a chance to review this document.

Q. Do you know of any tests conducted on the radar before they were installed?

A. OTA does not know of any systematic testing of the Furuno condo radar or other marine surveillance radar that took place before purchase or installation as part of the Miami BLOC complex. The only test we know of is the Cigarette boat test described in the Systems Research Corp. report mentioned above.

Q. Is this program being expanded?

A. Custous has recently completed construction and begun operation of a second marine operation control center in Houston. A third center is being designed in Gulfport, Mississippi and is expected to be in operation by the Summer of 1987.

Q. Do you know of any example of system evaluation and planning before the purchase of a system?

A. Many items of equipment, often quite expensive, have been acquired and put in use by drug interdiction agencies without systematic test and evaluation. In some cases, the decision to buy has been made by comparison of vendor-supplied data against performance requirements or technical specifications prepared by the agencies. In other cases, the selection has been based on laboratory or field demonstrations conducted for the procuring agency by prospective suppliers. At times, the choice has been dictated simply by consideration of what was available on the open market or from military inventories that promised to fill an operational need. Rigorous and systematic test and evaluation prior to purchase and further field evaluation prior to ordering in quantity appear to have been the exception rather than the rule.

OTA was able to discover some examples where more careful procurement practices were followed by interdiction agencies.

- Before selecting a contractor to supply ship-tethered aerostat radar balloons, the Coast Guard conducted a competitive evaluation ("fly-off") between the two prospective vendors. The Coast Guard plans further operational tests of the system selected before proceeding with the purchase of additional aerostats.
- The Coast Guard acquired one AIREYE integrated multisensor system for the HU-25A Falcon jet aircraft and subjected this equipment to extensive operational trials to determine its suitability for various Coast Guard missions. A decision on equipping at least five more HU-25As with AIREYE was made following this test and evaluation.
- The Customs Service developed detailed performance specifications for X-ray equipment to be used at ports of entry and evaluated candidate systems against these specifications before selecting a contractor.
- The Customs Service is currently developing and testing a nuclear magnetic resonance device to inspect letter mail for cocaine and heroin. Procurement will proceed only after the design has been proved in typical field conditions.
- Both Customs and Coast Guard have performed detailed tests of several devices to detect hidden compartments. In some cases, devices found useful by one agency have been referred to the other for further tests.

On the whole, however, the research, development, test, and evaluation process leading up to procurement is one of the weaker aspects of the effort to improve drug interdiction. The agencies, severely hampered by lack of funds, personnel, and test facilities, have often had to resort to cursory or abbreviated examinations of new technology. In some instances, pressure from within or outside the agency to acquire new technology as fast as possible to stem the flow of drugs has led to purchase decisions that are not supported by adequate test and evaluation.

Q. Is there a problem with double or triple counting of same seizures?

A. Multiple counting of seizures is a severe problem in the statistics issued by drug interdiction agencies. When more than one agency participates in an operation or when different branches of the same agency are involved, each may claim credit. The problem is compounded by the different methods used by each participant in reporting the event, estimating quantity or value, and specifying the time, place, and circumstances of seizure. As a result, it is often difficult to detect from the record whether double counting has occurred. Inconsistencies cannot be resolved by referring to EPIC, which is the repository of seizure data from all sources, because by policy EPIC does not identify the agency responsible for individual seizures.

Two examples will illustrate the magnitude and extent of the problem. In 1984, the quantity of marijuana reported seized from private vessels by Coast Guard and Customs individually amounted to almost twice the total reported by EPIC. Multiple counting within Customs is of such a degree that the agency does not publish statistics for individual operational components (inspection and control, patrol, air program, and intelligence) because the aggregate would amount to more than the total recorded by the agency as a whole.

To eliminate multiple counting, the drug enforcement agencies adopted a new recordkeeping system at the beginning of FY 1987. Seizures will be assigned unique identifying numbers by EPIC. When two or more agencies or components of a single agency take part in a seizure, each will enter the same identity number in their reports and data systems. When totals are reported for the quarter or the year, duplicate counting can be eliminated by comparing identification numbers. It is too early to tell whether the new system will have the desired effect.

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The U.S. Customs Service's Command, Control, Communications, and Intelligence Center Program

Statement of
Arnold P. Jones, Senior Associate Director
General Government Division

Before the
Permanent Subcommittee on Investigations
Committee on Governmental Affairs
United States Senate

Mr. Chairman and Members of the Subcommittee:

We are pleased to participate in these hearings on the Customs Service's command, control, communication, and intelligence (C3I) center program. On January 5, 1987, your Subcommittee and the Senate Committee on the Budget requested that we review the C3I center program. As requested in your letter, we have divided our review into two phases. First, we have obtained information on the objectives, current status, and interagency coordination of the Customs' C3I center program. This information and a discussion of determinations Customs must make regarding the program will be the subject of our testimony today. Second, we are presently conducting an in-depth evaluation of the rationale for establishing C3I centers and an evaluation of how the C3I program fits into the federal government's overall drug interdiction strategy. We expect to complete this phase of the review and issue a report to you in the summer of 1987 on our findings.

CUSTOMS' DRUG INTERDICTION RESPONSIBILITIES AND ITS C3I CENTER PROGRAM

The Customs Service is responsible for enforcing U.S. trade laws and numerous other federal laws applicable to persons and cargo entering the United States from foreign countries. Among Customs' many law enforcement responsibilities is preventing illegal goods of all kinds--including illegal drugs--from being smuggled into the United States.

Customs' efforts to control drug smuggling can be divided into three main areas, two of which are exclusively dedicated to drug interdiction. First, Customs operates an air interdiction program the objective of which is to detect and apprehend illegal drug smuggling via private airplanes. Second, Customs operates a marine interdiction program aimed at detecting and apprehending illegal drug smuggling via marine vessels operating within the 12- mile coastal water boundary of the United States. Third, Customs' attempts to detect illegal drug smuggling in the course of or in conjunction with its multi-purpose inspection of persons and cargo entering the United States from foreign countries at airports, seaports, and land border crossings.

C3I stands for command, control, communication, and intelligence. In general terms, Customs C3I center program will enable it to integrate multiple sensor and other data sources into centralized facilities to (1) provide detection and identification of suspect smugglers, (2) control and coordinate intercept operations, (3) establish intra-systems communications, and (4) enhance anti-drug smuggling intelligence. Customs' plans involve establishing two sector centers (one for the east and one for the west) and a national command center which will allow it to manage all Customs' and other enforcement assets in an integrated fashion. The C3I center program was initiated by Customs in order to provide better support for its air interdiction program but was redesigned to include marine interdiction activities in the east sector. A number of studies commissioned by Customs, which I will elaborate on shortly, discussed the centralization of drug interdiction command, control, communication, and intelligence capabilities. Congress has also supported the C3I center concept by providing funds for Customs to initiate development of C3I centers.

The Director of Customs' Office of Enforcement Support told us that command, control, and communications capabilities along the southern border have not kept pace with recent and planned increases in detection capabilities. These capabilities, he said, do not adequately provide for using intelligence to enhance drug interdiction efforts. He added that the increased resources provided by the Anti-Drug Abuse Act of 1986 will further increase Customs' need for integrated and centralized command, control, communications, and intelligence capabilities.

Studies prepared by private firms under government contracts recommended the establishment of C3I centers and described alternative approaches for establishing a C3I center program. In 1983, a report entitled Report on the U.S. Customs Service Air Program Assessment, also known as the Siler study, concluded that the interdiction of drug trafficking must be a unified and coordinated national effort. It recommended that C3I centers be established at the Air Force's Sectoral Operation Control Centers (SOCC) at Tyndall Air Force Base and at March Air Force Base. These SOCCs are part of our nation's North American Air Defense Command System (NORAD) and are the focal point for netting the extensive radar information for defensive purposes. The report also urged that the help of C3I experts from the military and aerospace industry be sought for the design of the two state-of-the-art C3I centers.

A January 1985 MITRE Corporation report outlined the operational concepts and performance requirements of a C3I system needed as part of Customs' overall air interdiction efforts. This report did not discuss possible locations for the centers.

A May 1985 MITRE Corporation report identified design alternatives for C3I centers to be used in Customs' air interdiction program. This MITRE study described three basic configurations for a C3I center program. One configuration would consolidate radar feeds from surveillance aircraft, Federal Aviation Administration (FAA) radar, and the North American Air Defense Command System at two Air Force Sectoral Operational Control Centers at Tyndall Air Force Base in Florida and March Air Force Base in California. The second configuration locates the C3I centers at FAA facilities in Jacksonville, Florida, and Albuquerque, New Mexico, to take advantage of FAA radars and flight plan information. The third configuration calls for a single C3I center located in San Antonio, Texas, because it is centrally located and a Customs' air support branch is located there. The study estimated a range of costs for the alternatives depending on their equipment, staffing, and overall capabilities of between $52.3 million and $94.1 million.

According to an October 1985 MITRE Corporation report, the Commissioner of Customs made a decision, dated July 3, 1985, on the alternative to be pursued. The alternative selected involved the acquisition of two C3I centers. The location for the west center was to be March Air Force Base near the southwest SOCC. According to the report, the eastern site determination had not been made but the site "may be at Tyndall Air Force Base." The purpose of the study was to provide a detailed description of the selected alternative.

On June 24, 1986, Customs held a C3I systems workshop which was attended by Customs officials from around the country. Those present identified a need for a national command center to fill several gaps in the planned two C3I center program. These gaps included (1) how the two centers could control and assign Customs' national assets, (2) how classified intelligence would be accepted, sanitized, and distributed in a timely manner, and (3) how national special operations would be planned, directed, and monitored.

Congress has supported implementation of the C3I concept, appropriating $6 million for Customs to initiate development of the C3I program in 1986. (This amount, however, was later reduced to $3.5 million as a result of Gramm-Rudman-Hollings reductions.) The Anti-Drug Abuse Act of 1986 authorized $25 million for Customs "to establish command, control, communications, and intelligence centers, in locations within the United States." In the 1987 Continuing Resolution covering Customs activities, dated October 15, 1986, Congress appropriated $41 million for the establishment of C3I centers. Senate Report Number 99-406 supporting the legislation states that the

Committee on Appropriations directs the Commissioner of Customs to "establish three sector command and control centers to be located at Miami, FL, Houston, TX, and March Air Force Base, CA." In addition, the Committee directed that "a national command and control center be established in Oklahoma City, OK." The report specified that this command and control system will be responsible for the direction of all air drug interdiction efforts by the U.S. federal government.

CURRENT STATUS OF C3I PROGRAM

Customs has taken several steps toward establishing C3I centers. In May 1986, Customs awarded a contract for about $109,000 to the Institute for Systems Analysis for technical support services for the C3I project. The contract was increased by about $186,000 to $295,000 in October 1986. This contract requires the Institute to (1) assist Customs in all design reviews, technical meetings, and demonstrations conducted by contractors and (2) assist in the evaluation of systems designs, master plans, program plans, and costs.

On June 20, 1986, Customs issued a request for proposals to acquire the services of one or more contractors who would enter into the first step of a two-step procurement intended to lead to the acquisition of an integrated C3I system. According to the Director of Customs' Office of Enforcement Support, 23 firms responded. On September 30, 1986, Customs awarded contracts to each of three of the firms for about $500,000 for performance of the first phase, which is currently underway. Work under the contracts involves the design of and specification for the system's initial operating capabilities and requires preparation of a detailed plan for developing these capabilities into a complete C3I system. According to the request for proposals these contracts were necessary because Customs recognized that it would be impractical for it to attempt to fully specify the systems that will ultimately be required in the C3I centers.

The Director of Customs' Office of Enforcement Support told us that, as of March 5, 1987, the systems being designed will involve two sector operations centers located at March Air Force Base, California, and Richmond Heights, Florida, which is south of Miami. The Director told us that, in addition, a national C3I facility will be located in Oklahoma City, Oklahoma. At the present time there are no plans to include a C3I facility in Houston, Texas, for air drug interdiction activities.

In the Southeast, the Richmond Heights, Florida, center will be a joint C3I facility for air and marine interdiction activities. Customs' marine C3I activities will be limited to those activities which are part of the Blue Lighting Operations Center presently located in Miami, Florida, with the addition of some detection capabilities provided in the Anti-Drug Abuse Act of 1986.

Customs has contracted for the services of an Architectural Engineer/Construction Manager to design and oversee the construction of the buildings that will house the C3I facilities at March Air Force Base, Richmond Heights, and Oklahoma City. As of March 11, 1987, $392,000 has been obligated for the Architecture/Engineering portion of the contract at March Air Force Base. In addition, Customs is preparing to exercise the construction management portion of the contract at March Air Force Base for $287,610. The Director of Enforcement Support told us on March 4, 1986, that a construction contract for the March Air Force Base facility should be awarded and construction begun by the end of March 1987. He said that construction contracts for the other facilities at Richmond Heights and Oklahoma City should be awarded in the near future.

COORDINATION OF THE C3I SYSTEM AMONG AGENCIES INVOLVED IN DRUG INTERDICTION

Pursuant to your request, we examined the coordination of Customs' development of the C3I centers with other federal agencies involved in drug interdiction. The Anti-Drug Abuse Act of 1986, dated October 27, 1986, states that coordination of the establishment and location of C3I centers shall be conducted by the Commissioner of Customs; together with the Commandant of the Coast Guard; the Attorney General of the United States; and the National Narcotics Border Interdiction System.

Even before passage of the Anti-Drug Abuse Act, the Coast Guard became involved in the design and location of C3I centers. The Coast Guard conducted a study of the contributions it could make to the air interdiction program and provided the results to the National Drug Enforcement Policy Board in July 1986. Among other things, the Coast Guard study concluded that C3I centers should be co-located with the Air Force at the SOCC's at March and Tyndall Air Force bases in order to facilitate information sharing between the military and the C3I centers, as well as to make efficient use of facilities and equipment located at the SOCCs. The Coast Guard study concluded that the command centers should be responsible for gathering intelligence and detection information from all available sources, sorting radar contacts, scrambling interceptors, vectoring intercept and tracker resources, and coordinating apprehension. Finally, it recommended that the centers should be manned by Coast Guard, Customs Service, and possibly Air Force personnel.

Through a negotiation process, Customs and Coast Guard have agreed, as of March 6, 1987, to co-locate eastern U.S. air and marine C3I activities at Richmond Heights, Florida. As I will discuss shortly, the negotiation process is continuing with respect to such matters as the command structure at the center.

Customs officials told us that Customs has kept other agencies informed about its plans and has solicited the help of the Department of Defense. An interagency agreement between Customs and the Secretary of the Air Force was signed on July 13, 1984. The Air Force agreed to provide the necessary services to develop and implement a Customs C3I systems acquisition plan. The MITRE studies that I referred to earlier were performed in support of this commitment. In addition, in November 1986, Customs asked for input from the Department of Defense on the contractors' design proposals, briefings on C3I operational concepts, and possibly training for personnel to be assigned to C3I centers.

We have seen minutes of several coordinating meetings that were held among officials representing Customs, the Coast Guard, the Drug Enforcement Administration, the National Narcotics Border Interdiction System, the Federal Aviation Administration, and the Department of Defense. In addition, officials of the National Drug Enforcement Policy Board told us that they are monitoring the establishment of the C3I centers to ensure proper coordination of roles and missions.

DECISIONS TO BE MADE ON THE C3I PROGRAM

Customs is about to begin construction of the buildings to house the C3I centers, but several matters need to be decided: (1) What will the command structure be at the Richmond Heights, Florida, C3I center considering that both Customs and Coast Guard will be at the facility? (2) Will there be a national C3I center in Oklahoma City? and (3) What will be the cost of the program?

The first matter to be decided by Customs relates to the command structure of the Southeast center. The facility, as originally conceived, was to be limited to Customs air interdiction program operations and earlier studies indicated that the SOCC at Tyndall Air Force Base would be a suitable site. Customs decided in November 1985 that the C3I center should include both air and marine interdiction activities. It decided in the summer of 1986 that the center should be located in or near Miami, Florida. While there was no formal study which considered these decisions in view of other alternatives, the Director of Customs' Office of Enforcement Support told us that by locating near Miami, Customs could take advantage of the strong working relationships Customs had developed with state and local law enforcement agencies involved in marine drug interdiction.

During the development of the plans for the center, the Coast Guard initiated efforts to become directly involved in air interdiction activities in the southeast and sought direct involvement in the southeast C3I. In addition, because both air and marine activities would be involved, the question arose as to whether Coast Guard's marine interdiction activities should be part of the C3I center. As I stated earlier, Customs and Coast Guard agreed to co-locate at a center to be constructed at Richmond Heights. The matter of the appropriate command role for each agency, however, has not been decided.

The second matter to be decided relates to the need for the national center in Oklahoma City. While there appears to be no formal study either justifying the need for a national center or its location in Oklahoma City, Customs is continuing with its plans to establish the center primarily because of the language contained in Senate Report Number 99-406.

Earlier, I mentioned the Siler study and several MITRE Corporation studies which discussed the need for the C3I center program. None of these studies, however, mentioned the need for a national command center.

The National Narcotics Border Interdiction System staff has questioned the need for the Oklahoma City facility. According to the NNBIS Staff Director, no resources exist in Oklahoma City which would justify locating a center there. The NNBIS Staff Director told us that it would take a substantial amount of money to establish a C3I center in Oklahoma City because each component of the C3I center (command, control, communications, and intelligence) would have to be built from the ground up.

The National Drug Enforcement Policy Board has considered the need for and location of the national C3I center. According to the Assistant to the Chairman of the Board, the Policy Board agreed on December 18, 1986, that the national C3I center not be established. The Assistant to the Director stated that this decision was transmitted to Congress in supplemental appropriations language. No action has been taken on this request.

Because the need for and location of a national center is still being discussed, it is unclear whether three contractors should, and realistically can, be designing a C3I system that includes a national command center at the present time. According to the Director of Customs' Office of Enforcement Support, the designs now being prepared could be modified to include the functions of a national C3I center in the two sector centers.

The third matter to be decided relates to the cost of the

C3I program. The Director of Customs' Office of Enforcement Support told us that the program is expected to cost about $41 million, which includes the establishment of a core system at the three locations and the construction of the buildings. This estimate is not based on any formal cost studies, but rather on the amount appropriated by Congress for commanding and controlling all air interdiction efforts. Because of the lack of formal cost studies, it is not clear whether the $41 million Congress has appropriated is too little or too much for the C3I center program.

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This concludes my prepared statement. We will be happy to answer any questions you may have.

GAO United States
General Accounting Office
Washington, D.C. 20548

General Government Division

April 15, 1987

SENATE PERMANENT
SUBCOMM ON INVESTIGATIONS
RECD APR 20 1987
MINORITY OFFICE

Ms. Eleanore J. Hill
Chief Counsel
Senate Permanent Subcommittee
on Investigations
Committee on Governmental Affairs
United States Senate
Washington, D.C. 20510-6250

Dear Ms. Hill:

Pursuant to your March 30, 1987, request I am providing the Subcommittee with written responses to questions concerning the U.S. Customs Service's C3I program. I agree to have these responses included in the final record as a supplement to my testimony before the Subcommittee.

If we can be of further assistant, please contact James Burow or Grace Haskins at 566-8537.

Sincerely,

Arnold P. Jones
Senior Associate Director

Enclosure

Additional Questions/GAO

U.S. CUSTOMS SERVICE'S C3I PROGRAM

Need/Justification for C3I

1. Regarding the planned Customs C3I system, has there been a cost/benefit analysis performed? If so, what are the benefits to be derived from the money spent?

> No, Customs has not performed a cost/benefit study. Customs has determined, however, that after spending $41 million it will have two sector C3I centers and a national C3I center to command, control, and communicate with its drug interdiction resources. It will also have an enhanced intelligence function. What Customs doesn't know is what impact the C3I center program will have on preventing illegal drugs from being smuggled into the country.

2. Currently Customs has a C3I center at Miami FAA which receives radar inputs from their aerostats and FAA approach radar. This operation seems to be quite cheap to operate and relatively successful; based upon your review do you see any reason why Customs shouldn't try to duplicate this smaller operation in the West until their air assets grow?

> This certainly would be one option which would be far less expensive and more in tune with current Customs air resources.

3. After Customs spends this $41 million and builds 3 new buildings, staffs them with approximately 150 new employees, lays electronic cables and erects microwave towers all up and down our Southwest and Southeast borders, do we know whether it will make a significant impact on incoming drug traffic?

> No, Customs has no documentation to support the impact the C3I will have on drug interdiction activities. It could result in the traffickers using alternative means of smuggling such as, increasing the use of commercial air flights and containerized shipments, or flying around existing detection resources.

4. If that is so, would you recommend the continued expenditure of such funds or could you recommend a smaller expenditure and further study?

> It is up to Customs to provide a convincing analysis to the Congress. Customs should perform a cost-benefit analysis/study before obligating money made available by the Congress.

Expertise/Coordination

1. Do you know if Customs ever sought approval from NNBIS or the Drug Policy Board (NDEPB) before issuing the contracts?

> No, Customs did not seek approval, but approval is not required.

2. From your initial review can you describe the Drug Policy Board's involvement in light of their charter to " facilitate coordination of United States operations and policy on illegal drug law enforcement" and to "review, evaluate, and develop United States Government policy, strategy, and resources with respect to illegal drug enforcement, including budgetary priorities; facilitate coordination of all United States Government efforts; coordinate the collection and evaluation of information necessary to implement United States policy on illegal drug law enforcement."

> The National Drug Enforcement Policy Board has looked at one aspect of the C3I program--the need for a national command center in Oklahoma City. According to the Assistant to the Chairman of the Policy Board, the Board agreed on December 18, 1986, that the national C3I center not be established. Congress, however, has directed that such a facility be established. We are currently reviewing the Drug Policy Board for the Senate Judiciary Committee and we expect to have more definite information on the Boards involvement later.

3. How would you describe the coordination of the C3I system among affected agencies, both before and after passage of the drug bill?

> Limited coordination took place prior to the Anti-Drug Abuse Act of 1986. After the legislation, Customs started monthly meetings with the principal players (NNBIS, Coast Guard, DEA, FAA and DOD) to discuss the establishment of the C3Is.

The Need for a National C3I Facility in Oklahoma City

1. You say that the need for a national C3I facility is an unresolved issue. Could you elaborate more on this?

> When we asked Customs officials for the justification for the C3I center program, they directed us to three studies--the Siler study and two by the MITRE corporation. None of these studies mentioned the need for a national C3I facility to oversee the operations of the sector centers. Congress

enacted legislation to have a national center in Oklahoma City. Customs has told us that they feel bound by law to construct a national C3I center. Furthermore, NNBIS has not seen any justification for the national center, and the Policy Board decided in December that such a facility was not needed.

2. What is the intent of the national C3I center?

According to the Customs, the national center will provide:

--forward surveillance for target queing,
--tactical intelligence analysis, sanitization, and dissemination,
--resource allocation (move resources to "hot" spots),
--liaison with other agencies, and
--planning for special operations.

3. Is it your understanding that locating a national C3I facility in Oklahoma City will require all new data links with the ROCC's and other C3I facilities just so Customs can oversee the operations of the other C3Is?

Customs and NNBIS have told us that data links will be required and that little exists at the proposed location. We should add that Customs has told us that a big part of the national C3I will be the intelligence activities. We do not fully understand their intentions in this regard, primarily because Customs is still in the process of developing this part of the C3I center program.

4. Wouldn't it be easier to locate a national center (if one is needed) at one of the two C3Is where all data will be available? Or at EPIC where intelligence information is currently stored?

On the surface, this seems reasonable, but we would like to see a cost/benefit analysis for such an option compared to the same type analysis for the national center in Oklahoma City. Neither analysis exists.

Location of Richmond Heights C3I

1. The main reason given by Customs for locating the C3I in Miami instead of co-locating at the air force facility at Tyndall Air Force Base is the need to co-locate with the Miami Marine BLOC. Did Customs justify this decision to your satisfaction?

No, we were not provided with documents that showed the pros and cons of the different options. We were told, however, that because smugglers often times use air drops to vessels that co-locating the facilities made sense. This decision lead to moving the location of the C3I from Tyndall Air

Force Base to the Miami area to take advantage of the good working relationships Customs had developed with state and local law enforcement agencies.

2. Do you feel those reasons justify the location in Miami? Couldn't you just as easily leave the Marine BLOC where it is or move it to the Brickel Avenue Building where NNBIS and Coast Guard C-3 centers are located?

We believe that it is up to Customs to justify its actions. We have not been provided documents that justify this decision. With regard to the second question relating to the ease of taking action on the option selected, we believe that it is easier to keep the BLOC close by. This is not the point, however. Decisions should be made, where possible, based on cost/benefit analyses that consider all options.

Customs Service/GAO Investigation

1. Are you overwhelmingly convinced on the work that you have done that Customs is aware of what they are going to build and can justify it as cost effective?

No

Justification for the C3I center in Richmond Heights with both air and marine activities involved and the joint command by Customs and Coast Guard

1. Is it correct that Customs originally intended the C3I center program to be only for air interdiction?

Yes, but this changed in November 1985, when Customs decided to include marine activities in the eastern C3I center.

2. Once the C3I plan included marine interdiction, should Customs have begun coordination with Coast Guard?

Yes

3. If so, did they?

No, as far as we know, there was no coordination with Coast Guard until late Fall 1986.

4. Did the studies commissioned by Customs (Siler, MITRE) consider marine interdiction activities to be part of the C3I center program?

No, the studies only considered command, control, communications, and intelligence for air interdiction activities.

5. Can you describe some of the problems caused by the decision to include marine interdiction activities in the eastern C3I center?

Conceptually, it is a good idea to combine C3I activities for air and marine, but it causes problems that must be resolved. First, there is an organizational problem in Customs when air and marine activities are combined. The chain of command for air activities has only a few links, and Customs headquarters provides a great deal of direction. The marine activities on the other hand are accountable to Customs regional offices, and the direction from headquarters is minimal. A second problem is that Customs' personnel involved in the Customs marine program in the southeast have developed good working relationships with state and local law enforcement agencies. Customs is interested in maintaining these relationships and this has dictated the location of the east C3I center in the Miami area which may not be the best location for the air program. A third problem relates to the fact that the Coast Guard with its own command structure is heavily involved in marine interdiction and developing a C3I center with their participation is important to the federal effort to interdict drugs.

6. Is there any documented advantage in co-locating the Miami BLOC with the Richmond Heights C3I?

We haven't seen any documented justification for this.

7. When Customs decided to include marine interdiction activities in the C3I, did they do any extensive study of the new design to ensure its effectiveness?

We were unable to find any documentation describing the pros and cons of various alternatives. We were told that the decision was made after discussion with potential users, but those discussions were among Customs personnel and not Coast Guard.

8. What is the justification for the C3I facility currently planned for construction in Richmond Heights?

Such a facility may be justified. However, Customs was unable to provide us with documentation which we could study, and reach the conclusion that it is justified. During the second phase of our work for you, we will be revisiting this issue.

9. You and Customs have used the term "evolutionary acquisition" when describing the process Customs is using to develop the C3I. Could you describe evolutionary acquisition as it applies to the C3I?

> In simple terms, this seems to mean that Customs is taking one acquisition step at a time with the overall interest of having an effective C3I center program when it is finished. Customs does not know, or cannot define, its specific requirements; and it is attempting to overcome problems as the problems arise. For example, at one time, Coast Guard was not going to be part of the C3I program; now, it is. This requires several decisions, such as who is going to be in command; will there be enough space; and will the designs being developed be usable.

10. Doesn't evolutionary acquisition also make the Customs Service more dependent upon the contractors in developing the system? Do you think this is sound in light of Customs own admission in the Request for Proposal (R.F.P.) that they lack sufficient expertise to even describe the system and their needs?

> That would appear to be true. In response, Customs has hired another consultant at $294,000, to review what the contractors say is needed.

The cost of the C3I center program

1. You say that the Congress has appropriated $41 million for the C3I center program, then you raise the issue that Customs has no formal cost studies on how much the fully implemented system will cost. Could you elaborate on the situation further?

> We have been told by Customs that they expect to have a system in place after spending $41 million that will enable it to provide the command, control, and communication capabilities for existing and one upgraded increment of resources; but as new techniques and technologies became available, they feel that they will need to add to the core system being developed. The $41 million should also provide for intelligence gathering and analysis. It appears that Customs is moving toward a C3I center program that costs $41 million rather than determining the C3I systems needed considering the drug-smuggling threat and the resources available to fight the "war on drugs".

2. What happens to the cost when marine C3I activities are added?

> Customs does not have cost analysis for the different scenarios that could arise out of its evolutionary acquisition. It should be noted, also that Customs told

us that the cost for the marine part of the C3I program is not part of the $41 million. They told us that the $41 million is for the development and acquisition of an air C3I program.

3. Does this mean that Customs is not looking at alternatives to determining the most cost-effective means of achieving its objectives?

I would assume that through its evolutionary acquisition process costs would be considered, but we could not determine how much it is expected to cost under different scenarios. For example, there is no information on how much would be saved by co-locating the national command center with the east or west center or how much could be saved if the national center were not built at all.

4. How much of the $41 million could be saved if no national C3I center was developed? There should be a design savings as well as an operational savings, shouldn't there?

Customs does not have those types of cost figures. It believes that it can construct the buildings it needs for about $5 million each (that is, $15 million total), but the cost of the system is being developed as part of proposals by the three contractors. I do not believe that the cost of the national center can be singled out at this time.

5. Please describe in detail the cost so far involved in Customs C3I?

--$294,000 to the Institute for Systems Analysis, for technical support services

--$1.5 million to 3 contractors for system design

--$392,000 for an architectural engineering contract at March A.F.B.

--$287,000 for construction management contract at March A.F.B.

Other issues and questions

1. You state that the construction contract for the March Air Force Base C3I has not been awarded, but construction will begin by the end of March. That's pretty fast work isn't it? Are there going to be competitive bids?

Customs told us that it was going to advertise for bids. I would say that is pretty fast work.

2. What is the "I" in the C3I center program? Elaborate on Customs intent in this function.

The "I" part of the C3I center program is illusive. Even Frank Ault, a special consultant to Customs for air interdiction, stated "no clear definition has been made of the 'I' function in the C3I centers." If you look at the individual components of the C3I--command, control, communications, and intelligence--there is nothing in the C's which relates to information received (radar feeds, visual sightings, investigation results, sensor being activated). Using this information to sort our potential targets could be considered intelligence. Also, analyzing the information can be considered as developing "intelligence."

3. Is there any intelligence that Customs says they need and which they currently do not get that will be available through the C3I?

Over the years Customs has stated that it needs more and better interdiction oriented intelligence to fulfill its responsibilities more efficiently. The type of intelligence it is looking for pinpoints where, when, and how smugglers are going to attempt to smuggle drugs into the U.S. We have not seen any indications that the C3Is will increase that type of intelligence to a significant degree. As far as we know, with the exception of the radar data from the new aerostats, they will not get any new intelligence.

4. Have you seen the Customs R.F.P. (Request for Proposal), and your comments on its?

The proposal is rather broad, it appears that it could have been more specific in light of the work Customs had already done in the MITRE and Siler studies.

STATEMENT OF
CAPT. FRANK AULT, USN-Ret.
Before The
U.S. SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
Hearings On
FEDERAL DRUG INTERDICTION:
COMMAND, CONTROL, COMMUNICATIONS, AND INTELLIGENCE NETWORK

I am grateful for the opportunity to appear before this Committee to express my views on certain aspects of the Anti-Drug Abuse Act of 1986. I refer, most particularly, to those provisions of that legislation related to the tactical interdiction of drugs at the nation's borders.

Let me say, at the outset, that I believe the Congress, in the haste and fervor of its efforts to produce a drug bill during the waning hours of the 99th Congress, either ignored, or was misinformed, on the capabilities and readiness of the principal beneficiary of that legislation to spend, well and wisely, the monies allocated for drug interdiction. Moreover, insufficient consideration was given to the long term implications of the substantial investments in hardware and personnel instigated by the Anti-Drug Abuse Act.

I believe that your careful examination of the other witnesses who will appear during these hearings will substantiate my views. Accordingly, I consider the most important objective of these hearings should be to send a clear message to the Executive Branch that the Congress now stands ready to set matters right. The President, in his "180-days-after" report required by the Nunn amendment to the 1987 Department of Defense Authorization Bill, should not only be encouraged, but urged, to include substantial changes in leadership, organization, management, roles and missions, and resource allocations. This is required, not only to improve the pro tem performance of drug interdiction at the nation's borders but to provide, in the longer term, the national security enhancements potentially realizable as a fringe benefit of the drug interdiction effort. However, the Congress must make it known now that it has an interest in certain policy decisions already reached -- or being reached -- within the National Drug Policy Board (chaired by Attorney General Meese). Otherwise, the comprehensive program for drug interdiction and enforcement which the Congress expects from the Executive Branch will reflect the same kind of unenlightened and parochial thinking which has inhibited performance at the nation's borders to date -- and bids fair to stultify it in the future. I cite specifically the division of mission responsibilities between the Customs Service and the Coast Guard, the acquisition and allocation of surveillance aircraft for Customs and the Coast Guard, and Command, Control, Communications and Intelligence for drug interdiction.

Before proceeding further, let me explain, briefly, my credentials vis a vis the subject of tactical interdiction:

- I am a retired, career Naval officer and Naval aviator.

- During my naval career I commanded a carrier squadron, a carrier airgroup, an amphibious assault transport and the aircraft carrier, USS Coral Sea -- the last two during the Viet Nam unpleasantness.

- I have commanded both amphibious and carrier task groups and have been Chief of Staff for the Commander of a Carrier Battle Group with his flag in a nuclear aircraft carrier. I have had specific, extensive experience with the technology and techniques of command and control.

- About half of my naval career was spent in weapons and space systems research, development and acquisition in the Washington arena. I have held key positions in the Navy Technical Bureaus, Navy Systems Commands, Office of the Chief of Naval Operations and in the Defense Research and Engineering Directorate in the Office of the Secretary of Defense.

- I believe it is not immodest to say that I have a professional reputation as an expert in air and marine interdiction. Toward the end of the Viet Nam war I was tasked, by the Navy, to find out why our fighter aircraft were not doing better in aerial combat. The result was an analytical effort, subsequently called "The Ault Report," which is generally credited for raising the Navy's air combat kill ratio in Viet Nam from about 2.5 to 1 to over 12.5 to 1. One of the products of the "Ault Report" was the Navy's Fighter Weapons School featured in the popular movie, Top Gun.

- Since retiring from the Navy I have served as the Chief Executive Officer, with profit and loss responsibility, of 4 public corporations and have maintained close working relationships with the areospace industry and community.

- I have been closely associated with the tactical interdiction programs of the Customs Service for the past 6 years. This experience was, first, as the Director of Customs Programs Support for a Washington based public company performing as a Customs technical support contractor, then as a member of the Blue Ribbon Panel called the "Siler Committee," tasked, in 1983, by Customs to perform an in-depth analysis of its Air Program, and, finally, during the 2 year period from September 1984 to October 1986 as Special Consultant for Tactical Interdiction to the Commissioner of Customs.

My views on tactical interdiction are, therefore, based on close personal observation of, and involvement with, not only the process, but the people. Accordingly, I feel qualified to speak candidly, as an informed, concerned private citizen.

I want to state, unequivocally, that I consider what is going on at the border to be little more than the appearance of drug interdiction. We are a long way from provably effective operations which are measurably inhibiting the flow of drugs onto our streets and into our society. I have been constantly dismayed at the "all is well" aura which generally pervades hearings such as these. They are usually punctuated by recitations of tons, kilograms, pounds, or grams, of drugs seized (the smaller the unit, the more impressive the number). Even the Congress' own Office of Technology Assessment (OTA), in a draft report now circulating, disparages quantities seized as a measure of performance. The fact is that the illicit drug price-purity index (meaning: how much good product is there and how much does it cost?) has been steadily declining and continues to do so.

There are several reasons for this and I will touch briefly on some of the most important of them:

- Our national drug problem is, basically and fundamentally, one of demand. This was emphasized by the President's Commission on Organized Crime in its report "America's Habit: Drug Abuse, Drug Trafficking, and Organized Crime" of March 1986 which stated "...the overwhelming and continuing demand for drugs among Americans is the primary cause of their limited success." Tactical interdiction addresses only the supply end of the problem. Efforts there must be thoughtfully balanced with all the other, requisite assaults on drug trafficking and abuse.

- Clearly, the Congress highlighted tactical interdiction in the legislative process of late 1986. This is indicated by the generous amounts set aside for this activity. Until that time, the Treasury Department and the OMB had been extremely stinting in their support of Customs budget requests for air and marine activities. In fact, tactical interdiction has been sustained, throughout the decade of the 1980's, more by Congressional mark-up of the Customs budget than by advocacy by the Executive Branch. Little wonder, then, that the Commissioner of Customs told me during my exit conference with him last Fall, "The name of the tactical interdiction game, Ault, is politics, not performance." This prompted me to write an article which appeared in the January 1987 Armed Forces Journal, entitled "Performance Or Politics?" I have provided copies so that you may include it in the Record if you wish.

- While it is apparent that tactical interdiction is now generally recognized as one of the necessary arrows in our anti-drug quiver, we still lack a proper string on our bow. That bowstring is labelled "Leadership." There is still no day-to-day, hour-to-hour, minute-by-minute 'battle management' of the drug war at the nation's borders. Neither is there anyone knocking parochial heads within the government's 'Anti-Drug Boat' so that the 37 agency oarsmen on board always pull together.

Some of the problems derive from the NNBIS organization with its charter to collect, coordinate, consolidate, inform, and request -- but without the executive authority to order and direct. Now we also have the National Drug Policy Board with mandates for policy coordination, strategy development and review, the development of budget priorities, and balancing the supply and demand side approaches to drug trafficking and abuse. Still missing are key terms such as: "command," "control," "order," "require," "direct," etc. Most of all, the management system lacks a key ingredient called "accountability."

The leadership issue was eloquently addressed by Senator Biden during his introduction of a Narcotics Leadership Act in early January, 1987. This is not the first time that the subject of a "Drug Czar" has been raised in the Congress. Such an expression of concern is completely understandable and well justified. Personally, I think the nation already has a Drug Czar. His name is the Honorable Edwin Meese, Attorney General of the United States. If he does not now have the statutory authority to exercise the complete range of leadership functions required, then the Congress should consider enacting the necessary enabling legislation.

- Tactical interdiction advocates are riding the wrong horse. Shortly before I terminated my consulting contract with Customs in September 1986, I was requested, by the Deputy Commissioner of Customs, to set down my summary views of performance and progress, based on my long, direct involvement with the process. It is included as an annex to this statement in the event that you may wish to include it in the record. In that memorandum I cited eleven areas of sustained concern. In sum, they supported my forthwith expressed recommendation that the Customs Service should take such initiatives as might be necessary to transfer the tactical interdiction mission to the Coast Guard. I elaborated on this view in an article entitled "Closing the Border to Drugs: Customs or Coast Guard Mission?" It appeared in the "Armed Forces Journal," November 1986 issue. I believe this Committee will find it to be timely and informative and suggest that it be included in the record as an annex to this statement.

Let me emphasize, here and now, that I am _not_ saying the Customs people are bad people. On the contrary, they are generally of the highest caliber with exemplary qualifications _in areas of traditional expertise_. However, they are poorly postured for an expanded role in tactical interdiction: from almost every aspect, ranging from infrastructure to force structure. In aviation savvy I would opine that they are about where naval aviation was at the end of World War II. Customs record at the border speaks for itself. The problems are organizational as well as institutional and attitudinal.

It is not surprising that several members of Congress are pressing for more military involvement at the border. They know that the techniques and technology of tactical interdiction have evolved largely from military operations. I know that, too, and contend that drug interdiction at the borders can best be performed by military people against a law enforcement backdrop, not by civil law enforcement personnel trying to perform a mission at which the military has traditionally excelled. However, indications are that Department of Defense participation in drug interdiction will remain less than 'all out': because of readiness, legal, political -- and other -- considerations. The Coast Guard on the other hand, enjoys unique status as a military organization with both a law enforcement mission and a national security role.

Evidently, the framers of the Anti-Drug Abuse Act felt that the soft spots in the case for Customs could be solved mostly by throwing money at the problem. If I were to walk into a Congressional hearing and suggest that the budget of any government agency be doubled in a single year I would have a most difficult time. If, in addition, an element of my argument was that should I apply a multiplier of 10 to a single line item of my budget I would, figuratively, be ridden out of the hearing room on a rail. Yet, that is what Customs and its Congressional supporters were able to accomplish during last October's legislative process.

- Consider that what is provided by the 1986 legislation is the buildup of yet another significant national air and maritime force -- this one with a peacetime -- only mission. Worse, the starting point for this is only the barest baseline structure of equipment, personnel, infrastructure and know-how.

- Consider that the Customs -- contemplated C3I structure for tactical interdiction will, at best, be only partially integrated with the existing national defense C3I organization of the nation. At worst it might be totally independent of, and/or in addition to it. This flies directly in the face of the advice received from several groups and individuals deeply experienced in command and control, starting with the Siler Committee in 1983. It is my considered opinion that the Customs command and control sites should be located as recommended by a preponderance of the experts. Specifically, that is as close as possible, physically, to the existing NORAD SOCC's and fully integrated, electronically, with them. Customs will tell you that they are essaying a technique called "Evolutionary Acquisition" for the procurement of their C3I network. Essentially, they are depending on industry to tell them what they need and will then rely on industry to put in place what it recommends. This will require a scope and depth of managerial expertise which, in my opinion, Customs does not possess. The starting place for a command and control system is a thorough appreciation of what you intend to do with it. This is the genesis of a formal requirements process which eventually results in a procurement specification. The Department of Defense could have assisted Customs with all this but, beyond a study by the Mitre

Corporation in 1985, Customs has not taken much advantage of the DOD's proven expertise in command and control. Inexplicably, the Anti-Drug Abuse Act requires Customs to coordinate its C3I program with the NNBIS, the Coast Guard, and the Justice Department -- BUT NOT WITH THE DEPARTMENT OF DEFENSE!!! Any coordination with the DOD, therefore, will be entirely voluntary or gratuitous. C3I is a specific area where there are important national defense benefits to be derived by carefully integrating the existing NORAD air defense system with upcoming provisions for the tactical interdiction of drugs. An example is any augmentation of existing air surveillance radar systems to provide better detection below 4000 feet. This would benefit the DOD. Concomitantly, Customs would benefit by direct access to information passed, via secure data link, by DOD AWAC's and E2C aircraft.

- Consider that there already exists a rapidly evolving C3I program wherein the Navy and the Coast Guard are establishing and exercising the organizational, operational and command structures within a complex of Maritime Defense Zone (MDZ's) around the nation's borders. The MDZ concept could readily be adapted for peacetime drug interdiction with uninterrupted flow into wartime operations. Moreover, the MDZ Commanders might well serve in a peacetime role, as the unified and joint commanders of the nation's border drug interdiction activities. Here, again, drug interdiction could be a peacetime function with an important wartime national defense fringe benefit. I have already alluded to deficiencies in leadership. Most particularly these are in the area of real time, full time tactical command of tactical interdiction operations. I am fully conversant with what columnist Edward Luttwak, in the 8 March "Washington Post," dubbed the "non-operational administrative mentality" which pervades the Washington bureaucracy. The Siler Committee attempted to surmount this by suggesting a tactical chain of command from Customs field commanders through the Headquarters organization. This was not accepted. I believe that one of the principal reasons it was not was that it injected the element of "accountability" still largely missing in the Custom lexicon.

- Consider that if certain Congressional sponsors have their way, the American taxpayer will foot the bill for the introduction, into the world marketplace, of a new Airborne Early Warning (AEW) aircraft. The argument is that this aircraft is required for drug interdiction and that neither the Air Force's E3A AWACS or the Navy's E2C Hawkeye fits the bill. This program continues to receive Congressional push despite Defense Department objections on the basis of costs, supportability wartime utility -- and even legality. In this instance the Legislative Branch appears to be cast in a requirements role which is more properly the province of the Executive Branch. The P-3 originated in the Congress. It has been pushed by the Congress -- by fair means and foul -- even in the face of a brief Treasury attempt in late 1984, to turn to the E2C which a Treasury-funded study then recommended. Another, equally bothersome example is the conversion of two Coast Guard C-130 Hercules aircraft to accommodate the APS-138 radar common to the E2C.

This, too, is provided by the omnibus drug bill, albeit at a funding level substantially below what will be required. While the Coast Guard has examined the technical feasibility and operational utility of such a C-130 variant, it has never formally requested funding for such a program. I think that both the P-3 and C-130 conversion programs should be held in abeyance until Customs and the Coast Guard are able to perform a full assessment of the utility of the E2C's they are now operating. I personally question the existing time and cost estimates for both programs as well as the ultimate operational utility of the finished products. Here, again, the hardware programs are already on the street sans formal definition of the operational requirements.

While it is understandable that role reversal might be considered a natural consequence of the process by which tactical interdiction has been funded to date, it is time to revert to normal procedures. Nowhere is this more necessary than in the area of technological developments for drug interdiction. I commend to your attention those elements of the recent OTA report dealing with new technology.

During my time in Customs I personally witnessed at least two instances where sub rosa intervention by Congressional staffers effectively stymied any attempts to consider the application of new technologies to drug interdiction. I refer, first, to the Treasury Department's onetime emerging interest in the potential utility of Over-the-Horizon radar for the detection of drug smugglers. The other was a proposal by the Navy's Costal Systems Command to inventory and assess those elements of existing underwater sound technology possibly useful for maritime drug interdiction. In both cases political expediency evidently overruled operational necessity. This should not happen again: either in the case of the two technology areas cited, or for such things as the utility of the Global Positioning System, data management developments relevant to the sorting function, and the evolution of a family of sensors for concealed contraband detection -- to cite a few. We require a coordinated program for technology development related to drug interdiction, possibly under the aegis of a properly constituted and directed National Drug Policy Board.

Finally, let me emphasize that it is not too late to set matters straight. However, it will be too late if we delay, even to the end of this year, in redirecting certain things set in motion by October's Anti-Drug Abuse Act. Tactical interdiction is only one of our anti-drug tools. With last Fall's media hype and political hurly-burly now behind us, it is time to reflect on the problem with a long-term perspective. Will the 100th

Congress, and the 101st, and those succeeding, support and sustain those things set in motion by the 99th? *Can* we support the force structures and activity levels implied: through 1990 -- and beyond? ......for a function largely peacetime-only oriented? Shouldn't we make our tax dollars do double duty, if we can?

What *should* be the relative weight of tactical interdiction in the total spectrum of anti-drug activities in the long term? At the (*very*) *best* we might evolve a barrier, totally impenetrable by contraband carriers, entirely around our national borders. We know that will never happen. A *possible worst case* is that we will continue to do no better at the borders than we have in the past. The *most likely case* is something in between, but shaded toward the worst case.

Therefore, if the Congress wants:

-- more military involvement in drug interdiction;

-- the fringe benefits to national security which *could* accrue from our drug interdiction efforts; and

-- the best sustained bang for the taxpayer's buck,

it is time to expand *materially*, the role of the Coast Guard in the tactical interdiction of drugs and to integrate national defense and drug interdiction functions wherever we can.

At the same time, we should reemphasize and reinforce those elements of Customs activity where there is no question of its experience and expertise. For drug interdiction --- and for other important purposes -- Customs needs to upgrade its performance in the inspection and investigative arenas. There is more than enough mission for all the agencies potentially useful in a border interdiction role. Each should be tasked to do what it does best. A kilo of cocaine is a kilo of cocaine -- whether picked out of a shipment of cut flowers on a commercial airliner or removed from a smuggler's aircraft cn an abandoned airstrip.

Mr. Chairman: you and your Committee should be keenly interested in exploring how the drug interdiction tax dollar can do double duty for national security....but that is only part of the problem. Concomitantly, you should insist that the nation's drug war leadership, command and management houses be put in order.

ADDITIONAL QUESTIONS & ANSWERS SUBMITTED FOR THE HEARING RECORD

FRANK W. AULT

1. In your exit memorandum to the Commissioner of Customs, you were highly critical of the interdiction program. Had you raised these criticisms with Customs officials prior to your decision to leave Customs? Were your criticisms generated by the circumstances surrounding your departure from Customs?

   [There was nothing in my exit memorandum which had not been aired extensively by me, within the Customs organization, for a matter of several months. My - and Customs - files are replete with formal letters, status reports, memorandums etc. which constitute documentary evidence of this assertion.]

2. The MDZs (Maritime Defense Zone) which you mention in your statement, are oriented toward maritime operations. While it might be possible for them to assume a maritime drug interdiction role, how would you add the air interdiction function?

   [Simply by providing for each MDZ Commander a Deputy Commander (Air). I would recommend that the Air Deputies be located in Coast Guard C3I Centers located immediately adjacent to the NORAD/USAF SOCC's at March and Tyndall Air Force Bases and be fully interfaced, electronically, with them. Similar arrangements could subsequently be made at the Northeast and Northwest SOCC's, if necessary. The Coast Guard C3I's for air would be integrated, to the extent necessary for effective command, control, and communications, with the rest of the MDZ C3I network.]

3. What about the lack of MDZ detection capability?

   [Such MDZ detection capability as now exists is directed, primarily, to the support of marine operations. The supplementation required for air interdiction operations would emanate, first, from the Coast Guard's interface with the SOCC's. In order to perform the drug interdiction mission, however, the existing detection capabilities of the SOCC's must be augmented, particularly in the low altitude regime below 4000 feet. This can be done by adding aerostat radars, other types of gap filler radars, other types of gap filler radars, and increased coverage by Airborne Early Warning (AEW) aircraft. Eventually, over-the-horizon radar capabilities will be added. In the interim, any augmentation of radar coverage for drug interdiction will provide, concurrently, important benefits for national defense, provided the associated C3I networks are properly interfaced.]

4. The Coast Guard is not now trained for air interdiction. Neither is it equipped for it. Given those facts, why do you believe the interdiction mission should be transferred to Coast Guard and how would you accomplish it?

[Both Customs and the Coast Guard are, essentially, at the 'starting gate' of an air interdiction capability. Customs has only 20 aircraft (including two E2C's) suitably equipped for air interdiction. Coast Guard has only two E2C's; however, it plans to outfit its HU-25 (Falcon) fleet with air intercept radars. If the Coast Guard were assigned sole responsibility for air interdiction the simplest initial steps would be to assign them the C3I facilities development task and transfer all "air interdiction capable" Customs aircraft to the operational control of the Coast Guard. The Customs aircraft could remain in this status indefinitely or the Coast Guard could eventually replace Customs air crews with Coast Guard crews while assuming the custody of Customs aircraft. These steps would be facilitated by the quality of Navy-trained Coast Guard pilots and the scope and depth of the Coast Guard's existing aviation infrastructure. By the time the requisite air C3I facilities were built and operational the Coast Guard would have had ample opportunity to train and ready an effective air interdiction force--one with a peacetime drug mission and with concurrent responsibilities for national defense in both peace and war.]

5. What are the most significant existing deficiencies in our tactical interdiction program?

[Not necessarily in any weighted order, they are:

- Trained manpower
- Sufficient, properly equipped aircraft
- Radar surveillance, particularly at low altitudes
- Tactical Intelligence
- Know-how
- Leadership and management]

6. Will tactical interdiction ever be effective for stopping the flow of illegal drugs?

[No. Most of the tactical and strategic initiatives will remain with the smuggler. Since we will never have an impenetrable barrier completely around the nation, the best we can hope for is some 'floating crap game' strategy which will increase the costs and complexity of smuggling, result in some improvements in apprehensions, and force the smugglers into alternative delivery modes where we might have a better chance of catching them.]

7. In your opinion, is Customs emphasizing its interface with the FAA or with the DOD in its C-3I plans? Do you agree with their approach? Why?

[Customs does appear to be emphasizing the importance of its interfaces with the FAA as opposed to better interfaces with the DoD. I believe this id due to:

- Customs past experience which has stressed the FAA interface, specifically the Customs C3 facility in the FAA's Miami ARTCC and Customs presence in the Houston and Albuquerque ARTCC's.
- Customs misperception of the requirement for, value of, and technical and cost implications of netting FAA approach control radar data into Customs C3I Centers.

- The 'law enforcement mentality' which pervades Customs and inhibits their association with the military professionals in the DoD C3I community.

In my opinion, Customs should stress the DoD interface since the DoD and Coast Guard own and operate the principal, existing air and maritime C3I systems and full cognizance has been taken of interoperability considerations. The nation does not need another NORAD nor another MDZ network.]

8. Do you agree with OTA's finding that we need to begin developing new technologies for use in interdiction? Is this being done?

[Emphatically. This is a long neglected area. Such progress as has been made is sporadic and fragmentary. This is not to say that there should immediately be large amounts set aside for R&D in this area. A first order of business should be a survey of existing requirements. Next, there needs to be an extensive inquiry into what already exists, and is being done, in each requirements area. Finally, there should be formulated a well coordinated program in which needs, responsibilities, and ways and means are clearly delineated.]

9. Why are you opposed to the programs to install the APS-138 in the P-3 and the C-130 for drug interdiction?

[The nation already has two extremely capable AEW aircraft: the USAF AWACS and the Navy E2C. While a case might be made that the P3/APS-138 and/or C130/APS-138 have rightful niches in the world AEW aircraft marketplace, I see no reason why the American taxpayer should foot the bill for putting them there. I believe that the costs, development times, and complexities of both the P3 and C130 conversions have been seriously understated. Moreover, I believe it will be a number of years - if ever - before the performance of the APS-138 radar in either the P3 or the C130 approaches its performance in the E2C. In my 30 September exit memorandum to Customs, included as an annex to my statement, I included a list of questions on the P3/APS-138. They are still relevant. The DoD has opposed the P3/APS-138 on the basis of cost, supportability, military utility and even legality. The Coast Guard did not request the C-130/APS-138. It is time to ask why certain members of Congress continue to press for the P3 C130 conversions in the face of such determined opposition and contrary to the best technical and fiscal advice the nation has to offer. As a minimum, it would seem prudent to delay the commencement of these two hybrid AEW aircraft programs until the operational utility of the E2C's now being operated by Customs and the Coast Guard can be fully evaluated.]

10. What is your opinion of over-the-horizon radar as a potential tool in drug interdiction?

[The Air Force's small aircraft test program to date has indicated that OTH radar has genuine potential as a drug interdiction tool. However, unless the law enforcement community asserts its requirements early in the program the system may not include all the refinements required to maximize its utility for drug interdiction. Attempts to explore the potential utility of over-the-horizon radar for drug interdiction have been seriously inhibited to date by the sub rosa intervention of Congressional staffers whose near term political objectives are in apparent conflict with the long term operational needs of the law enforcement community. OTH radar constitutes another reason for a sound interface of the DoD and law enforcement C3I systems.]

11. Did you ever recommend this technology to the Customs Service? Please describe in detail what occurred with this recommendation.

[Yes. In early 1985 I was given the specific assignment, by Assistant Secretary John Walker of the Treasury Department, to explore the utility of OTH radar for drug interdiction. This was instigated primarily because the Australian government was offering its version of OTH radar for drug interdiction as an element of the F/A-18 offset program. I conducted an extensive inquiry, focused on the Air Force and Stanford Research Institute International (SRI), a preeminent DoD support contractor for the U.S. OTH radar programs. SRI strongly recommended active Customs participation in the USAF/OTH radar small aircraft program in order to verify OTH radar performance against typical smuggling aircraft. During the course of my investigation a Senate staffer specifically ordered me (sub rosa) to cease and desist because my inquires might prejudice "Congressional interests" in getting aerostat radars on the Southwest border. I informed Mr. Walker of those "Congressional objections" by a formal, classified memorandum. Evidently, similar admonitions were issued to Customs' Assistant Commissioner for Enforcement who repeatedly refused to forward, to the Commissioner, my written recommendations to proceed to develop the OTH radar capabilities story. This situation prevailed throughout my tenure until my departure from Customs on 30 September 1986. I am unable to assess whether Congressional staff interference with the OTH radar investigation is as straightforward as iterated above, or if there were/are other reasons.]

12. What about the potential use of underwater sound technology?

[Certain elements of underwater sound technology (in particular, 'brown water' underwater sound technology) may be useful for drug interdiction. Certainly many of the 'blue water' techniques for the detection and tracking of high performance nuclear submarines may be too sophisticated to be useful. On the other hand, an underwater detection system, overloaded at 3 PM at a harbor entrance, may be of great value at 3 AM. The problem is to survey what equipment and techniques are out there and to determine what might be useful. Sole reliance on radar, visual, and near-visual techniques for marine smuggler detection seriously inhibits potential progress with marine interdiction, in my opinion.]

13. Did you ever recommend this technology to the Customs Service? Please describe in detail what occurred.

[In early 1985 the Navy's Coastal Systems Command, at my instigation, prepared a proposal to survey the underwater sound technology area and recommend suitable or promising alternatives vis a vis Customs Marine interdiction requirements. This was presented, by the Navy, to the Commissioner and key members of the Customs headquarters staff. Influenced, in part, by Congressional staff urging to concentrate on other, closer, near term objectives, Customs interest in the Navy's proposal never materialized. Financing was part of the problem but probably was no more inhibiting than the negative political influences.]

14. Can you elaborate further on your thesis that a dollar spent for drug interdiction can do double duty for national security?

[Quite simply, the Customs Service is a civilian organization with a peacetime-only drug interdiction mission. The Coast Guard is a military organization with a peacetime law enforcement mission as well as a wartime national defense mission. Assets used for drug interdiction in peacetime by the Coast Guard can readily be applied to wartime requirements. This is not so for the Customs Service. In fact, any drawdown on DoD assets to equip Customs in peacetime automatically results in the loss of some of the DoD's ultimate war making capability.]

15. Customs is planning on locating their 3-CI in Miami, partly on the basis of the success of the Blue Lightning operation there. Would you comment on the Blue Lightning operation?

[The principal features of the Blue Lightning operation were the concentration of forces from several agencies and then the tactics of stopping virtually every watercraft that approached the coastline or could legally be boarded elsewhere. Naturally, this resulted in a significant, short term increase in the amount of contraband seized. Unfortunately, it is not possible to sustain the Blue Lightning level of participation or level of operations over a long period.]

16. Is there good reason to combine the air and marine effort in a C-3I in Miami?

[A cogent case--but not a conclusive one--can be made for collocation. An example is an analogy based on a scenario involving contraband air drop followed by watercraft pickup. However, my experience with C3I in a Navy carrier battle group has demonstrated that effective C3I is not dependent on collocation. Functional entities can be effectively controlled, even if separated. The key to success is effective communications. The situation in Miami is somewhat special in that fast boat deliveries from the nearby Bahamas are generally unique to this specific region. The situation at Houston and New Orleans is much different because of differences in characteristic contraband delivery modes. At the time of the establishment of the JMICC/BLOC in Miami it was Customs announced intention to conduct a detailed operational evaluation of the JMICC/BLOC as well as a formal assessment of the air-marine collocation requirement. This has not happened. In my opinion, Customs arguments for building up its C3I capabilities in Miami derive from many considerations, not necessarily all operational. No C3I system will be effective without good detection capability, good tactical intelligence, and reliable, secure communications. These requirements are far from fulfilled in the current JMICC/BLOC facility or at the Miami air C3 facility. Collocation, per se, addresses none of these.

17. While you were a consultant to Customs and a member of the Siler Committee did the Committee make any recommendations concerning C-3I's? What were they?

[Yes. The recommendations of the Siler Committee were:

- Appoint two Assistant Deputy Commissioners for Air Operations: one each for east and wet.
- Establish and activate C3I centers at Tyndall Air Force Base and March Air Force Base, respectively.
- Equip and man the C3I centers and the air support branches to operate 24 hours a day, 7 days a week.]

18. Did Customs follow those suggestions?

[Only in part. Customs did nationalize its air force and place it under the direction of aviation commanders east and west. However, the C3I systems needed to direct the forces assigned the commanders were never developed. Customs never adopted the recommendation to collocate with the

SOCC's. In fact, Customs never built up its personnel manning levels in the SOCC's sufficiently to realize their full potential. Moreover, the chain of command, authority, and accountability from the field through the headquarters, Customs, was left in limbo. Manning for a 24 hour, 7 day operation is still in process.]

19. Is Customs following the Siler Committees suggestion to collocate their C-3I centers at the two SOCC centers?

[No. The western facility will be located on March AFB but will not be fully integrated with the SOCC. The eastern facility will be located in Miami, far removed from the SOCC at Tyndall AFB. Yet another C3I Center, with characteristics and mission still to be defined, is programmed for Oklahoma City. There is every evidence the the 'law enforcement mentality' and political expediency pervade the Customs C3I arena to the exclusion of all other dominant influences.]

20. Would the benefit of collocation of the air and marine effort out weigh the benefits of collocating at the SOCC facility at Tyndall AFB?

[No. Neither would it best serve, concurrently, both drug interdiction and national security needs.]

21. Did the Siler study consider the need for low-altitude radar?

[Yes. The Siler Committee was fully aware of low altitude detection deficiencies. It recommended the formation, by the NNBIS, of a Joint Surveillance Committee, staffed by all the parties interested in surveillance, in order to definitize the needs of each representative and the ways and means of requirements fulfillment. In meeting Customs needs the Siler Committee specifically recommended that "Customs position should be that it wants to be a user of surveillance information but does not desire an acquisition or management role in the surveillance world." The Siler Committee noted that the Customs Service did not possess the experience and expertise required to acquire and operate complex surveillance systems. Customs' (and its congressional supporters') drive for an organic surveillance capability probably derives from a perception that DoD (and other) surveillance activities will never satisfy Customs specific needs. Customs has not exerted much effort to develop alternatives for obtaining surveillance information for Customs use other than acquiring organic surveillance systems under its immediate operational control. While this may be understandable it is not entirely justifiable.]

22. Colonel Steeves, who was the former director of the SOCC at March Air Force Base has provided the Subcommittee a statement in which he says that the SOCC's are the best location for Custom's C-3I centers. Do you agree? Why or why not?

[I emphatically agree for the reasons cited in my answers to other questions. There is no reason why both national defense and drug interdiction should not mutually benefit from improvements in present systems made for either purpose. Examples are better low altitude coverage for national air defense provided by surveillance improvements to locate low altitude smugglers and conversely, the broad area surveillance capabilities of the DoD's OTH radar which will provide for better drug interdiction.....but there must be a workable C3I interface.]

23. Colonel Steeves also states that "there is not one shred of operational logic to support a C-3I center in Oklahoma City." Do you agree? Do you know what operational justification Customs has for a national command center, whether at Oklahoma City or elsewhere?

[I agree with Colonel Steeves. So far as I know, there has never been a thoughtful, formal iteration of the Customs C3I requirements. Ostensibly, these are still being developed by industry. Oklahoma City appears to have evolved more from an institutional--than from an operational--stand point. I believe Customs has some misconceptions of the nature and extent of FAA facilities and information available in Oklahoma City. I am informed that the National Drug Policy Board does not endorse the Oklahoma City facility but is being forced to accept it because of the language of the Anti-Drug legislation and/or Congressional interpretations thereof. I note that a highly visible and articulate spokesman for an air interdiction role for Customs is a member of the House of Representatives from Oklahoma.]

24. Colonel Steeves also discusses, at page 8, the importance of "cost reduction aspects from the mutual sharing of communication, crypto security, and physical security" at a collocated operation. In simple language could you explain in detail what are these cost savings from collocating at the two SOCC sites?

[The principal savings will probably be those in the communications area since those must be nationwide as they are for continental air defense by the DoD. Further, there may be savings in being able to use track data if located near the SOCC's rather than routing raw radar data around the nation for further processing. Special security provisions (for example, if data link is involved) in Customs facilities may be costly unless located within already existing security perimeters at military installations. Additional savings in utility and housekeeping costs might be realized by collocation with military facilities. Moreover, the cost savings realizeable by not having to duplicate or parallel all the Coast Guard C3I provisions in its MDZ's might be very impressive.]

25. Customs has said that they are already receiving SOCC data from Tyndall AFB through the FAA center in Miami. Do you agree?

[No. They are receiving the same aerostat data Tyndall receives, but directly from the aerostats and not though Tyndall. So far as I know, there is no direct, on-line, real time exchange of data between Tyndall and Miami. Tyndall does, of course, inform the Customs C3I at Miami of any suspected smugglers which it detects in its air defense system.]

26. At March Air Force Base, Customs is locating its C-3I at a separate facility, in a new building, across the street from the SOCC center. Will this satisfy the need for collocation of facilities?

[I am not personally familiar with the siting situation at March AFB. However, if the Customs building is across the street from the SOCC it is, obviously, not immediately adjacent (i.e. butted up) to the recommendation of the Siler Committee, concurred in by the Air Force, was immediately adjacent.) Therefore, there will be no close physical contact between SOCC and Customs C3I personnel, nor none of the synergism expected therefrom. Moreover, added distance will add to the technical difficulties of electronically interfacing the two facilities and could result in some degradation of data received in the Customs C3I's from the SOCC's.]

27. When you terminated your consulting relationship with Customs, did you make any recommendations concerning the drug interdiction effort?

[Just one, other than those implicit in the text of my exit memorandum: That Customs initiate such action as appropriate to transfer the tactical interdiction mission, in its entirety, to the Coast Guard. Over five years of close contact with the Customs efforts to perform the tactical interdiction mission convinced me that Customs would be better advised to concentrate on areas of traditional expertise and to leave tactical interdiction to the military professionals.]

28. In light of that recommendation, what would be the impact on the whole C-3I program?

[The C3I program would immediately benefit by adaptation of the Coast Guard C3I system and the MDZ concept to drug interdiction. The Coast Guard would assume the responsibility for the further development of the air C3I system. Under Coast Guard stewardship the air C3I facilities would be collocated with the NORAD SOCC's and would be fully integrated with them, physically and electronically. This would be of great benefit to the drug interdiction effort in that it would fully capitalize on what is already in place in the DoD and Coast Guard. Conversely, there would be substantial benefits to national security, particularly by improving defense capabilities in the low altitude regimes below 4000 feet. All of this would be cheaper, earlier achieved, and much more efficient when completed. Finally, the job would be done by military professionals, 24 hours a day, 7 days a week.]

29. What were some of the considerations that caused you to recommend to Commissioner von Raab that the interdiction mission be transferred to the Coast Guard?

[The principal items are cited in my exit memorandum of 30 September 1986 which was included as an annex to my statement. They are:

- Inability and/or unwillingness to plan.
- Failure to definitize and prioritize program objectives.
- Inadequate force structure (both equipment and personnel) and high costs--and excessive time required--to raise to effective levels.
- Lack of appreciation and application of requisite (fundamental) principles of leadership and management.
- Inexperience and absence of know how in the techniques and technology of command and control.
- Lack of full time 'battle management' of drug interdiction operations at the border.
- Shortcomings in tactical intelligence.
- Absence of a technology development and applications program.
- Lack of professionalism throughout the tactical interdiction organization.
- Inadequate security throughout the program.
- The predominance of political expediency over operational necessity as a governing factor adversely influencing the selection of a suitable airborne surveillance aircraft for drug interdiction.]

PREPARED STATEMENT OF WILLIAM VON RAAB

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE, THANK YOU FOR THE OPPORTUNITY TO DISCUSS THE COMMAND, CONTROL, COMMUNICATIONS AND INTELLIGENCE (C3I) CENTERS. THE C3I CONCEPT IS A CRITICAL PART OF THE CUSTOMS SERVICE DRUG INTERDICTION STRATEGY.

SINCE 1981, WHEN I BECAME COMMISSIONER OF CUSTOMS, I HAVE DEVOTED MUCH OF MY PERSONAL ENERGY AND THE AGENCY'S RESOURCES TO DRUG INTERDICTION. I BELIEVE DRUGS ARE THE MOST SERIOUS ENEMY FACING OUR NATION. DRUG ABUSE AFFECTS THE VERY FOUNDATION OF OUR DEMOCRACY, THE HEALTH AND WELL-BEING OF OUR CHILDREN, AND THE VALUES AND MORALS OF THIS AND FUTURE GENERATIONS. I AM PLEASED TO HAVE A MAJOR ROLE IN COMBATTING THIS PROBLEM AND AM DEDICATED TO THE EFFORT.

THE ROLE OF THE CUSTOMS SERVICE IN DRUG INTERDICTION

THE U.S. CUSTOMS SERVICE IS THE LEAD FEDERAL AGENCY FOR DRUG INTERDICTION AT THE BORDERS. THIS ROLE CAN BE TRACED BACK TO THE VERY BEGINNING OF OUR COUNTRY. THE CUSTOMS SERVICE WAS CREATED BY THE SECOND ACT OF CONGRESS IN 1789 AND WAS GIVEN RESPONSIBILITY FOR THE INTERDICTION OF ALL MERCHANDISE (INCLUDING CONTRABAND) BEING IMPORTED OR EXPORTED CONTRARY TO LAW. THERE ARE NUMEROUS CUSTOMS STATUTES, SOME OF WHICH CAN BE TRACED TO THE SECOND ACT OF CONGRESS, WHICH MANDATE OUR LEAD INTERDICTION ROLE. FOR EXAMPLE:

-- 19 U.S.C. 482: BORDER SEARCH AND SEIZURE AUTHORITY FOR VESSELS, VEHICLES, PERSONS AND MERCHANDISE.

-- 19 U.S.C. 1467: REINSPECTION OF VESSELS, PERSONS, AND MERCHANDISE AT SUCCESSIVE PORTS.

-- 19 U.S.C. 1499: EXAMINATION AND CLEARANCE AUTHORITY FOR ALL IMPORTED MERCHANDISE.

-- 19 U.S.C. 1581: AUTHORITY FOR BOARDING VESSELS AND VEHICLES, BORDER SEARCHING CONVEYANCES, MERCHANDISE, AND PERSONS, ETC.

-- 19 U.S.C. 1582: DETENTION FOR CUSTOMS PROCESSING OF PERSONS ENTERING THE U.S.

-- THE ANTI-SMUGGLING ACT OF 1935: VARIOUS BROAD AUTHORITIES (IN TITLE 19) CONCERNING CUSTOMS AUTHORITY TO BOARD AND EXAMINE VESSELS.

-- REORGANIZATION PLAN NO.2 OF 1973, 87 STAT. 1091, 1973 U.S. CODE, CONGRESSIONAL AND ADMINISTRATIVE NEWS 3554. ALTHOUGH THIS REORGANIZATION PLAN CONSOLIDATED PRIMARY FEDERAL DRUG ENFORCEMENT RESPONSIBILITY IN THE JUSTICE DEPARTMENT, IT SPECIFICALLY LEFT THE BORDER DRUG INTERDICTION FUNCTION WITH CUSTOMS. "THE SECRETARY (I.E. CUSTOMS) SHALL RETAIN AND CONTINUE TO PERFORM, (INTELLIGENCE, INVESTIGATIVE, AND LAW ENFORCEMENT) FUNCTIONS, TO THE EXTENT THAT THEY RELATE TO SEARCHES AND SEIZURES OF ILLICIT NARCOTICS, DANGEROUS DRUGS, OR MARIJUANA OR TO THE APPREHENSION OR DETENTION OF PERSONS IN CONNECTION THEREWITH, AT REGULAR INSPECTION LOCATIONS AT PORTS OF ENTRY OR ANYWHERE ALONG THE LAND OR WATER BORDER OF THE UNITED STATES." (SEE SECTION 1 OF REORGANIZATION PLAN NO. 2 OF 1973)

-- THE CUSTOMS ENFORCEMENT ACT OF 1986 PASSED AS PART OF THE ANTI-DRUG ABUSE ACT OF 1986, P.L. 99-570 (OCTOBER 27, 1986).

THIS COMPREHENSIVE REVISION OF CUSTOMS ENFORCEMENT AUTHORITIES CONTAINS NEW STATUTES ON OUR INTERDICTION ROLE. FOR EXAMPLE, 19 U.S.C. 1590 WAS ENACTED AS A MAJOR NEW AVIATION SMUGGLING PROHIBITION.

-- 49 U.S.C. 1509 and 19 U.S.C. 1644: MANDATES CUSTOMS TO ASSURE THAT CIVIL AIRCRAFT ARRIVING INTO THE U.S. COMPLY WITH ALL CUSTOMS REQUIREMENTS AND LAWS CONCERNING CONCERNING IMPORTS.

THUS, THE CUSTOMS SERVICE HAS EXTENSIVE AUTHORITIES AND A HISTORICAL TRADITION IN COMBATTING THIS SERIOUS PROBLEM.

MANY FUNCTIONS OF OTHER FEDERAL AGENCIES WERE PERFORMED BY THE CUSTOMS SERVICE AT ONE TIME INCLUDING CERTAIN FUNCTIONS OF THE COAST GUARD, PUBLIC HEALTH SERVICE, VETERANS ADMINISTRATION, BUREAU OF CENSUS, NATIONAL BUREAU OF STANDARDS, INTERNAL REVENUE SERVICE, IMMIGRATION AND NATURALIZATION SERVICE, AND THE DRUG ENFORCEMENT ADMINISTRATION. EVEN THROUGH THE REVENUE CUTTER SERVICE (THE COAST GUARD'S PREDECESOR) WAS A SEPARATE AGENCY OF THE TREASURY DEPARTMENT, ITS OFFICERS AND MEN REPORTED TO CUSTOMS COLLECTORS AND PERFORMED DUTIES ASSIGNED TO THEM BY THE COLLECTORS. FOR THIS REASON, WARRANT, COMMISSIONED, AND PETTY OFFICERS OF THE REVENUE CUTTER SERVICE (AND LATER THE COAST GUARD) WERE DESIGNATED AS CUSTOMS OFFICERS BY STATUTE. EVEN TODAY, COAST GUARD OFFICERS DERIVE LAW ENFORCEMENT AUTHORITY TO MAKE ARRESTS ON LAND, TO PERFORM BORDER SEARCHES, AND TO ENFORCE

LAWS RESPECTING AIRCRAFT OR VIOLATIONS OF FEDERAL LAW INVOLVING AIRCRAFT FROM THE CUSTOMS SERVICE. (19 U.S.C. 1401 (i) AND 14 U.S.C. 143). MANY AGENCIES, WHOSE ORIGINS BEGAN WITH THE CUSTOMS SERVICE, SUCH AS THE COAST GUARD, THE IMMIGRATION AND NATURALIZATION SERVICE, AND THE DRUG ENFORCEMENT ADMINISTRATION CONTINUE TODAY TO USE CUSTOMS SERVICE AUTHORITIES FOR THEIR DRUG INTERDICTION EFFORTS.

WE, AT THE CUSTOMS SERVICE, ARE PLEASED TO HAVE THE ASSISTANCE OF THE COAST GUARD IN THE AIR INTERDICTION PROGRAM AND COMMEND ADMIRAL YOST FOR TAKING SUCH A STRONG STAND AGAINST DRUGS.

DRUG INTERDICTION STRATEGY

THE FISCAL YEAR 1987 BUDGET APPROVED BY CONGRESS ALLOWS FOR APPROXIMATELY $1.4 BILLION FOR FEDERAL DRUG INTERDICTION EFFORTS. THESE RESOURCES WERE ALLOCATED TO THE COAST GUARD, THE DEPARTMENT OF DEFENSE, THE IMMIGRATION AND NATURALIZATION SERVICE, AND THE CUSTOMS SERVICE. THIS IS TO COMBAT AN ESTIMATED $100 BILLION BUSINESS FROM THE DRUG SMUGGLERS. WE BELIEVE THE ONLY WAY TO BE SUCCESSFUL AGAINST THIS THREAT IS TO ENSURE THAT THE FEDERAL AGENCIES ARE WORKING CLOSELY TOGETHER, AND TO ENLIST THE AID OF STATE AND LOCAL GOVERNMENTS, FOREIGN GOVERNMENTS, PRIVATE ORGANIZATIONS AND CITIZENS, AND ANYONE ELSE WHO WILL HELP.

EACH ORGANIZATION HAS ITS OWN CONTRIBUTION TO MAKE. FOR EXAMPLE, THE CUSTOMS SERVICE IS THE ONLY ORGANIZATION THAT HAS A SUBSTANTIAL NUMBER OF PHYSICAL ASSETS WHICH ARE DEDICATED SOLEY TO DRUG INTERDICTION INCLUDING 90 AIRCRAFT, 247 VESSELS, AND OVER 1300 VOICE PRIVACY RADIOS. STATE AND LOCAL LAW ENFORCEMENT AGENCIES KNOW THEIR LOCAL COMMUNITIES AND HAVE SOURCES AND ACCESS TO INFORMATION THAT WOULD BE IMPOSSIBLE TO DUPLICATE. PRIVATE CITIZENS ARE ALSO HELPING WITH SUCH PROGRAMS AS THE "YOU CAN HELP" HOTLINE AND THE EXPLORER PROGRAM. THE COMMUNICATION NETWORK FOR ACCESSING AND COORDINATING THE DRUG INTERDICTION RESOURCES IS CRITICAL TO ENSURING THAT THESE ORGANIZATIONS ARE THE MOST EFFECTIVE POSSIBLE.

I BELIEVE THE FEDERAL AGENCIES ARE WORKING MORE CLOSELY TOGETHER THAN EVER BEFORE. IN ADDITION, I HAVE PERSONALLY MET WITH MORE THAN A HUNDRED STATE AND LOCAL LAW ENFORCEMENT OFFICIALS FROM FLORIDA TO CALIFORNIA TO ENLIST THEIR SUPPORT. WE ARE ACTIVELY GAINING ALLIES THROUGHOUT THE NATION AND WE ARE PROVIDING THE STATE AND LOCAL ORGANIZATIONS WITH VOICE PRIVACY RADIOS AND TRANSPONDERS FOR THEIR BOATS TO FACILITATE COMMUNICATIONS.

THE BLUE LIGHTNING OPERATIONS COMMAND CENTER (BLOCC) WAS ESTABLISHED IN MIAMI, FLORIDA, ABOUT A YEAR AGO. CUSTOMS ASSETS CURRENTLY BEING COORDINATED BY THE BLOCC INCLUDED ABOUT 85 VESSELS, AND 340 CUSTOMS OFFICERS, 10 SHORE BASED MARINE RADAR SITES, AND 3 AEROSTAT BALLOONS. OVER 25 LOCAL LAW ENFORCEMENT AGENCIES HAVE ALREADY JOINED CONTRIBUTING RESOURCES OF 260

OFFICERS AND ABOUT 90 VESSELS EACH EQUIPPED WITH A CUSTOMS TRANSPONDER AND A VOICE PRIVACY RADIO. THE NATIONAL PARK SERVICE, THE U.S. BORDER PATROL AND THE COAST GUARD HAVE ALSO JOINED. EFFORTS ARE NOW UNDERWAY TO INCLUDE WESTERN AND NORTHERN FLORIDA WHICH WILL MORE THAN DOUBLE THE ASSETS. AS YOU CAN SEE, THE STATE AND LOCAL ASSETS ARE MAKING A BIG DIFFERENCE.

BLOCC IS CRITICAL TO THE DRUG INTERDICTION EFFORT BECAUSE WITHOUT THE COMMUNICATIONS CAPABILITY, IDENTIFYING AND TRACKING SUSPECT TARGETS WOULD BE MORE DIFFICULT AND LESS EFFICIENT. DEPLOYING THE CLOSEST RESOURCE (REGARDLESS OF WHETHER IT IS CUSTOMS, ANOTHER FEDERAL AGENCY, OR A STATE OR LOCAL GOVERNMENT), TO THE SUSPECT, FREQUENTLY IS THE DIFFERENCE, FROM A TIMELINESS PERSPECTIVE, OF APPREHENDING THE SUSPECT OR NOT. WE ARE ACTIVELY WORKING TO EXTEND THESE SUCCESSFUL CONCEPTS TO THE SOUTHWEST AND GULF COAST.

AIR INTERDICTION STRATEGIES ARE SIMILAR TO THE MARINE STRATEGY. THE DETECTING, TRACKING, INTERCEPTING, AND APPREHENSION OF SUSPECT AIRCRAFT IS COMPLEX, REQUIRING DIFFERENT TYPES OF AIRCRAFT ON A SINGLE PURSUIT. COMMUNICATION NEEDS ARE EXTENSIVE NOT ONLY WITH THE AIR INTERDICTION COMPONENTS BUT ALSO WITH GROUND SUPPORT IN THE EVENT THE AIRCRAFT IS FORCED TO LAND. THE AIR INTERDICTION ASSETS ARE USED NOT ONLY IN APPREHENDING AIRBORNE TARGETS BUT ALSO IN IDENTIFYING MARINE, AND AT TIMES, LAND TARGETS. A SOPHISTICATED COMMUNICATIONS CAPABILITY IS A CRITICAL PART OF THE AIR INTERDICTION STRATEGY.

ANOTHER INTEGRAL PART OF THE DRUG INTERDICTION STRATEGY IS INVESTIGATION AND INTELLIGENCE GATHERING. BY IDENTIFYING AIRCRAFT OR VESSELS WITH SPECIAL COMPARTMENTS OR UNUSUAL FEATURES AND DEVELOPING INFORMANTS AND OTHER SOURCES OF INFORMATION, THE IDENTIFICATION OF SUSPECT TARGETS CAN BE GREATLY FACILITATED.

THE BASIC DRUG INTERDICTION STRATEGY IS TO ENLIST AS MANY AVAILABLE ASSETS TO THE DRUG INTERDICTION EFFORT AS POSSIBLE, IMPLEMENT A MECHANISM TO EFFECTIVELY COORDINATE THOSE ASSETS, AND PROVIDE INFORMATION FROM INVESTIGATION AND AS MANY OTHER SOURCES AS POSSIBLE TO FACILITATE THE EFFORT.

COMMAND, CONTROL, COMMUNICATIONS, AND INTELLIGENCE CENTERS

THE C3I IS A COMMAND CENTER WHERE REAL-TIME INTERDICTION DECISONS ARE MADE BASED ON REAL-TIME INFORMATION FROM NUMEROUS SOURCES. SOURCES OF INFORMATION INCLUDE: FAA, CUSTOMS, AND DOD RADARS; NORAD; EPIC; FULLY DEDICATED DRUG INTERDICTION RADAR SYSTEM IN THE AIR, SEA, AND ON LAND; THE INTELLIGENCE COMMUNITY; THE TREASURY ENFORCEMENT COMMUNICATION SYSTEM (TECS), FEDERAL, STATE, AND LOCAL LAW ENFORCEMENT AGENCIES; TRANSPONDERS INSTALLED ON AIRCRAFT AND VESSELS; DRUG INTERDICTION INVESTIGATIONS; PRIVATE CITIZEN HOTLINES; ETC. PARTICIPATION IN THE C3I INCLUDES ALL FEDERAL AGENCIES INVOLVED IN DRUG INTERDICTION AND STATE AND LOCAL LAW ENFORCEMENT AGENCIES WHOSE RESOURCES WILL BE COORDINATED BY THE C3I WHEN THEIR MISSION CONTRIBUTES TO DRUG INTERDICTION.

CONGRESS FIRST DIRECTED THAT CUSTOMS SERVICE BEGIN EFFORTS ON DESIGNING AND DEVELOPING THE C3I CONCEPT IN 1984. THE CONCEPT SHOWED GREAT PROMISE AND CONGRESS APPROPRIATED ABOUT $2 MILLION IN FISCAL YEAR 1985 AND $4 MILLION IN FISCAL YEAR 1986. THE MAJORITY OF THE DESIGN AND DEVELOPMENT WORK IS NEARING COMPLETION AND WHAT REMAINS IS THE ACTUAL CONSTRUCTION AND EQUIPPING OF FACILITIES.

THE FY 1987 CONTINUING RESOLUTION (PL 99-500, PL 99-591) DIRECTS THE "...ESTABLISHMENT OF COMMAND, CONTROL, COMMUNICATIONS AND INTELLIGENCE (C3I) CENTERS UNDER THE EXCLUSIVE CONTROL OF THE U.S. CUSTOMS SERVICE." THUS, THE CONTINUING RESOLUTION ESTABLISHED THE CUSTOMS SERVICE AS THE LEAD AGENCY IN THE C3I EFFORT AND WE ARE WELL QUALIFIED FOR THAT FUNCTION BECAUSE OF OUR VAST EXPERIENCE IN THE COMMAND, CONTROL AND COMMUNICATIONS AREA AS IT RELATES TO AIRBORNE SMUGGLING INTERDICTION. CUSTOMS WILL CONTINUE TO COORDINATE THESE EFFORTS WITH THE COMMANDANT OF THE COAST GUARD, THE ATTORNEY GENERAL, AND THE NATIONAL NARCOTICS BORDER INTERDICTION SYSTEM AS REQUIRED BY THE DRUG AUTHORIZATION BILL. THE CUSTOMS SERVICE RECOGNIZED THE NEED FOR A C3I SYSTEM IN THE EARLY 1970's WHEN WE ESTABLISHED A BASIC C3 FUNCTION AT THE ALBUQUERQUE FAA AIR ROUTE TRAFFIC CONTROL CENTER AND AT THE NORAD SAGE FACILITY IN PHOENIX, ARIZONA. EVEN THOUGH THESE EARLY EFFORTS WERE RATHER RUDIMENTARY, THEY WERE SUCCESSFUL IN TERMS OF INCREASED EFFECTIVENESS. THROUGH THE ENSUING YEARS, WE HAVE INCREASED OUR CAPABILITY, ADDED STATE-OF-THE-ART EQUIPMENT AND REFINED OUR OPERATIONAL PROCEDURES INTO A HIGHLY COMPLEX COMMAND AND CONTROL OPERATIONS. IN ADDITON TO THIS BACKGROUND IN

IN OPERATING A C3I FUNCTION, THE CUSTOMS SERVICE HAS A CADRE OF PILOTS EXPERIENCED IN CONDUCTING DAY, NIGHT, ALL WEATHER INTERCEPTS AND A FLEET OF 90 AIRCRAFT, INCLUDING 36 AIRCRAFT SPECIALLY DESIGNED TO ACCOMPLISH THE AIRBORNE ENFORCEMENT MISSION AND 247 VESSELS FOR MARINE INTERDICTION.

AS PART OF ITS ONGOING COOPERATIVE EFFORTS WITH THE COAST GUARD, THE CUSTOMS SERVICE AND THE COAST GUARD HAVE FORMALIZED AN AGREEMENT THIS WEEK TO ROTATE COMMAND AND CONTROL OF THE MIAMI C3I. THE CUSTOMS SERVICE AND THE COAST GUARD WILL SHARE COMMAND OF THE MIAMI C3I ON A TWO YEAR ROTATION BASIS WITH THE CUSTOMS SERVICE'S TWO YEARS BEGINNING WHEN THE MIAMI C3I BECOMES OPERATIONAL AND CONTINUING THROUGH JUNE OF 1989. THE COAST GUARD'S TWO YEAR COMMAND WILL BEGIN IN JULY OF 1989. THIS TWO YEAR PERIOD WILL PROVIDE THE STABILITY NECESSARY TO MANAGE SUCH A COMPLEX FUNCTION. IN ADDITION, THE COAST GUARD HAS AGREED TO ENSURE THAT A SUBSTANTIAL NUMBER OF ITS VESSELS INVOLVED IN DRUG INTERDICTION ARE AVAILABLE FOR C3I MISSIONS.

I BELIEVE THAT THE AGREEMENT REACHED WILL NOT ONLY INCREASE THE RESOURCES AVAILABLE FOR DRUG INTERDICTION PURPOSES BUT WILL ALSO ENHANCE THE IMPORTANCE OF THE C3I CONCEPT.

COOPERATION WITH DOD AND COAST GUARD, AND OTHER AGENCIES

THE DRUG AUTHORIZATION BILL (PL 99-570) DIRECTS THAT "... THE COORDINATION OF THE ESTABLISHMENT AND LOCATION OF SUCH C3I CENTERS SHALL BE CONDUCTED BY THE COMMISSIONER OF CUSTOMS; TOGETHER WITH THE COMMANDANT OF THE COAST GUARD; THE ATTORNEY GENERAL OF THE UNITED STATES; AND THE NATIONAL NARCOTICS BORDER INTERDICTION SYSTEM." I HAVE COMPLIED WITH THESE DIRECTIVES AND THE CUSTOMS SERVICE, AS THE LEAD AGENCY, IS MOVING FORWARD WITH DEFINITION AND IMPLEMENTATION OF THE C3I CENTERS.

CUSTOMS HAS A LONG HISTORY OF COOPERATION WITH THE DEPARTMENT OF DEFENSE (DOD), THE COAST GUARD, AND THE FEDERAL AVIATION ADMINISTRATION IN THE DEVELOPMENT OF THE C3I PROGRAM. SINCE CUSTOMS HAD ORIGINALLY IDENTIFIED THE AIR FORCE'S REGION OPERATIONS CONTROL CENTERS (ROCC) AS DESIRABLE LOCATIONS, THE AIR FORCE BECAME THE LEAD DOD AGENCY FOR INTERFACING WITH CUSTOMS. IN OCTOBER OF 1985 THE AIR FORCE APPOINTED A POINT OF CONTACT FOR THE AIR FORCE/CUSTOMS COOPERATIVE C3I EFFORT. STARTING IN NOVEMBER OF 1985, SEVERAL MEETINGS WERE HELD WITH THE APPROPRIATE AIR FORCE PERSONNEL AND ORGANIZATIONS TO ASSURE A FULLY COORDINATED C3I PROGRAM. THE AIR FORCE HAS BEEN MOST SUPPORTIVE OF THE CUSTOMS C3I EFFORT; IN FACT, THE OVERALL SYSTEM DESIGN STRONGLY REFLECTS THEIR ADVICE AND SUGGESTIONS, AND THE STRATEGY EMPLOYED FOR THE SYSTEM'S AGQUISITION CAME DIRECTLY FROM DOD.

THE CONTINUING RESOLUTION WHICH APPROPRIATED FUNDS FOR THE C3I AND THE DRUG AUTHORIZATION BILL, WERE PASSED IN LATE OCTOBER 1986. BY NOVEMBER 5, 1986, CUSTOMS HAD ESTABLISHED THE C3I INTERAGENCY WORKING GROUP. MEMBERS OF THE GROUP INCLUDE DOD, COAST GUARD, NATIONAL NARCOTICS BORDER INTERDICTION SYSTEM, DEPARTMENT OF JUSTICE, DRUG ENFORCEMENT ADMINISTRATION, FEDERAL AVIATION ADMINISTRATION, AND CUSTOMS. SINCE THAT DATE, MONTHLY PRINCIPALS MEETINGS HAVE BEEN HELD TO ENSURE FULL COOPERATION. TECHNICAL WORKING GROUPS WERE CREATED AND HAVE HELD MEETINGS ON ALMOST A WEEKLY BASIS TO SURFACE AND RESOLVE CONCERNS IN THE AREAS OF COMMUNICATIONS, TECHNICAL DESIGNS, FACILITY DESIGNS, AND INTELLIGENCE.

THE COAST GUARD HAS BEEN ACTIVE IN THESE ENDEAVORS, HAVING PERSONALLY PRESENTED THEIR SYSTEM REQUIREMENTS TO THE THREE C3I DESIGN TEAMS AND HAVING DEDICATED FOUR COAST GUARD TECHNICAL EXPERTS TO THE MOST RECENT DESIGN REVIEWS, WHICH WERE HELD DURING THE FIRST TWO WEEKS OF FEBRUARY. ADDITIONALLY, THE COAST GUARD IS EXPECTED TO DEDICATE THE SAME NUMBER OF EXPERTS TO THE FINAL C3I SYSTEM ACQUISITION EVALUATION IN APRIL AND WILL BE REPRESENTED ON THE SOURCE EVALUATION BOARD. THE SOURCE EVALUATION BOARD MAKES FINAL RECOMMENDATIONS TO THE SOURCE SELECTION OFFICIAL ON THE THREE DESIGN TEAMS IN THE C3I COMPETITION.

COORDINATION WITH THE FEDERAL AVIATION ADMINISTRATION HAS ALSO BEEN AN IMPORTANT FACTOR IN THE DEVELOPMENT OF THE C3I CONCEPT. THE FAA HAS BEEN AN INTEGRAL PART OF OUR AIR

INTERDICTION EFFORTS FROM INCEPTION THROUGHOUT THE PAST DECADE. IN FACT, THE ORIGINAL PLAN WAS TO LOCATE THE C3I AT THE FAA FACILITY IN MIAMI. HOWEVER, THE PLANS WERE CHANGED AFTER WE BOTH REALIZED THAT THE FAA FACILITIES WERE SIMPLY NOT ADEQUATE TO SATISFY BOTH REQUIREMENTS. THE C3I WILL CONTINUE TO BE CLOSELY LINKED TO FAA VIA COMPUTER TO ACCESS DATA.

CUSTOMS BELIEVES THAT IT HAS COORDINATED ITS C3I PROGRAM WITH DOD, COAST GUARD, DEA, JUSTICE, AND FAA, TO THE FULLEST EXTENT POSSIBLE. A COMPLETE ACCOUNTING OF AGENCY COORDINATION EFFORTS IS INCLUDED AS APPENDIX I TO MY STATEMENT.

SUMMARY AND CONCLUSION

CUSTOMS HAS EXTENSIVELY COORDINATED WITH ALL RELEVANT AGENCIES TO ENSURE THERE IS NO DUPLICATION. DOD, COAST GUARD, AND THE FAA HAVE BEEN ESPECIALLY HELPFUL TO US AS WE DESIGNED AND DEVELOPED THE C3I. AIR AND MARINE RELATED INFORMATION THAT BOTH AGENCIES COLLECT WILL BE ROUTINELY TRANSMITTED TO THE C3I SITES. TACTICAL DRUG INTERDICTION NEEDS FOR INFORMATION ARE QUITE DIFFERENT THAN EITHER FAA OR NORAD. FIRST OF ALL, THE SMUGGLERS' AIRCRAFT FLY SIGNIFICANTLY LOWER AND SLOWER THAN AIRCRAFT TRACKED BY EITHER FAA OR NORAD. SECOND, THE TRACKING AND ENFORCEMENT MISSION REQUIRES REAL TIME INTELLIGENCE DATA THAT IS NOT NECESSARY FOR EITHER AGENCY. ALTHOUGH PHYSICAL PROXIMITY WITH THE OTHER AGENCIES MIGHT HAVE, AT ONE TIME, BEEN HELPFUL, IT IS NOT NECESSARY WITH TODAY'S COMMUNICATION TECHNOLOGY.

THE DRUG INTERDICTION EFFORTS ARE FINALLY SUCCEEDING. OPERATION FLORIDA AND NOW BLUE LIGHTNING ARE SUCCESSFUL. FEDERAL AGENCIES, STATE AND LOCAL LAW ENFORCEMENT ORGANIZATIONS AND EVEN PRIVATE CITIZENS ARE WORKING TOGETHER. DRUG SMUGGLERS HAVE MOVED MUCH OF THEIR OPERATIONS TO THE SOUTHWEST BORDER, BUT WE ARE STARTING TO IMPACT THEM THERE AS WELL.

THE FEDERAL GOVERNMENT IS DEVOTING SUBSTANTIAL RESOURCES TO THIS ENDEAVOR. THE DRUG BILL ADDED OVER $200 MILLION TO THAT EFFORT JUST THIS YEAR. IN ADDITION, CONGRESS APPROPRIATED SUBSTANTIAL ADDITIONAL RESOURCES TO THE CUSTOMS SERVICE FOR FY 1987, INCLUDING RESOURCES FOR;

-- THREE C3I'S,

-- INCREASES IN MANPOWER BY 1054 FOR DRUG INTERDICTION;

-- TWO E-2C AIRCRAFT,

-- P-3 AIRCRAFT WITH SUBSTANTIALLY ENHANCED DETECTION CAPABILITY,

-- INCREASE IN BLACKHAWK HELICOPTERS FROM EIGHT TO TWELVE,

-- DELIVERY OF FOUR ADDITIONAL INTERCEPTOR/TRACKER AIRCRAFT BRINGING THE TOTAL TO EIGHTEEN,

-- SIX ADDITIONAL AEROSTATS BRINGING THE TOTAL TO NINE,

-- SUBSTANTIAL INCREASES IN AIR PROGRAM STAFFING, AND

-- INCREASES IN EQUIPMENT TOTALING $21 MILLION FOR; VOICE PRIVACY RADIOS, RADAR FOR THE GULF COAST, MARINE EQUIPMENT, ETC.

I BELIEVE WE ARE FINALLY MAKING MAJOR PROGRESS IN OUR DRUG INTERDICTION EFFORTS. (ATTACHMENT II CONTAINS A LISTING OF SEIZURES FROM BOTH THE CUSTOMS AND COAST GUARD). I BELIEVE THAT CUSTOMS AND THE COAST GUARD HAVE TOGETHER WORKED OUT THE BEST SOLUTION FOR THE C3I IN THAT THE JOINT COMMAND WILL ENSURE THAT ALL DRUG INTERDICTION RESOURCES WILL BE PART OF THE C3I.

WHAT REMAINS IMPORTANT IS THAT ALL AGENCIES WORK COOPERATIVELY TOGETHER. IN ADDITION, THE CUSTOMS SERVICE, AS THE LEAD BORDER DRUG INTERDICTION AGENCY, WILL CONTINUE TO ENLIST MORE ALLIES TO ASSIST IN ALL FACETS OF THE WAR AGAINST ILLEGAL DRUGS THAT ARE SO NEGATIVELY AFFECTING OUR NATION.

THANK YOU FOR THE OPPORTUNITY TO DISCUSS OUR DRUG INTERDICTION EFFORTS AND THE C3I PROGRAM. I WOULD BE PLEASED TO ANSWER ANY QUESTIONS.

ADDITIONAL QUESTIONS/ANSWERS FOR HEARING RECORD

Honorable William von Raab, Commissioner
U. S. Customs Service

Question: The OTA study released at the hearing finds that despite a doubling of federal expenditures on interdiction in the last five years, the quantity of drugs being smuggled into the United States -- greater than ever. OTA finds that our interdiction effort is succeeding in stopping only a very small percentage of illegal drug smuggling. Would you comment on these findings and what they imply about the future of interdiction efforts?

Answer: The purpose of the OTA study was to examine the technologies available to the drug interdiction effort, the federal organizations that use these technologies, and their strategies. Further, the study was to investigate the range of choices among technologies and the alternative ways of using these technologies. The OTA data collection and documentation effort therefore concentrated on the availability and uses of technology for drug interdiction. Their principal study report, over 200 pages long, deals extensively and in detail with the subject of technology. However, because all of the agencies participating in this study felt that the information on the capabilities and limitations of technology was too sensitive for public disclosure, this technical report was classified and thus not available for public dissemination. In order to meet their obligation to produce a public report, OTA elected to concentrate on the organizational and operational issues associated with drug interdiction. As a result, it is our opinion that this public report emphasizes areas that were beyond the primary focus of the study and were less adequately researched.

From an overall point of view, we find fault with the scope of the report and its characterization of the interdiction problem, its emphasis on negative findings, shallow and oversimplified solutions, statements that are inaccurate or outdated, and a failure to present new information not already common knowledge. On the positive side, the Report does make several points regarding the relative strengths and limitations of various agencies, and about intelligence, command and control requirements, and other technological issues with which we agree.

Question: According to your statement, Customs began developing the C-3I concept in 1984. When did Customs begin efforts to coordinate the development of C-3I with Coast Guard?

Answer : Customs began its C3I dialogue with the Coast Guard in May of 1985 during the planning stages of the Joint Marine Interdiction Command Center (JMICC) in Miami, Florida. This facility was constructed in February of 1986 and is now referred to as the Blue Lightning Operations Command Center (BLOCC). The JMICC was fielded as a C3I test bed and is the primary source of marine - associated C3I System design data that are being used in the design of our current C3I System.

Question: According to GAO testimony and documents provided by GAO, Customs decided in November 1985 that the C-3I program should include both air and marine interdiction activities. In light of that fact, shouldn't Customs have begun coordination with Coast Guard on development plans at this point?

Answer : Customs actually began its C3I coordination with the Coast Guard in May of 1985 during the development of the Joint Marine Interdiction Command Center (JMICC). This coordination served to develop the interface required for the inshore (out to twelve miles) operating environment. Customs has never had an interest in "Blue Water" drug interdiction since that area is Coast Guard's operational responsibility. Command and control of Blue Water drug interdiction was not contemplated in Customs C3I program; however, coordination in the form of information sharing was considered. Therefore appropriate coordination actually occurred before Customs reached a decision to integrate air and marine command and control in its C3I Centers.

Question: What role has the Drug Policy Board played in the development of the C3I program before and after the passage of the 1986 Drug Act?

Answer The original development of the C3I predates the Board. The Board acts as an overseer among the four agencies which are responsible under the law coordination. So it is to the Board that we report with respect to our coordination, and it would be the Board which would resolve any issues that would arise among us, although this has not to date been necessary.

Question: Under the Drug Policy Board's charter they are required to "review, evaluate, and develop United States Government policy, strategy, and resources with respect to illegal drug enforcement" development of C3I, with or without a specific congressional directive to do so?

Answer: As I stated in my answer to the previous question, the Fiscal Year 1987 legislation required that Customs cooperate with the Coast Guard and other interested federal agencies in the design, location, and employment of its Command, Control, Communications, and Intelligence (C3I) System. Starting on November 1986, Customs chaired meetings with the principals of the agencies with which cooperation was required: Coast Guard, Drug Enforcement Administration, National Narcotics Border Interdiction System, Department of Justice, Federal Aviation Administration, and the Department of Defense. Since that date, monthly Principals' Meetings have been held to ensure full cooperation and consideration of these agencies requirements in the Customs C3I System. Additionally, smaller working groups have held meetings on almost a weekly basis to surface and rectify concerns in the areas of communications, technical designs, facility designs, intelligence, and C3I Center command structure.

All of the above agencies were invited to participate in C3I System design reviews. The Coast Guard has been the most active of these, having personally presented their system requirements to the three design teams and having dedicated four Coast Guard technical experts to the most recent design reviews, which were held the first two weeks of February. Additionally, the Coast Guard is expected to dedicate the same or similar experts to the final C3I System acquisition evaluation in April and will be represented on the Source Evaluation Board. The Source Evaluation Board makes final recommendations to the Source Selection Official on the three design teams in the competition.

Customs believes that it has abided by legislated cooperation requirements. We have sufficiently coordinated with affected agencies the development of the C3I, and will continue to do so.

Question: OTA's testimony identified what it called "shortcomings" of the current C-3I centers for Customs and Coast Guard as follows:

- three separate C-3I facilities - Coast Guard, Customs Air, and Customs Marine - operating independent of each other;
- little commonality in technology among these three kinds of C3I facilities - giving rise to "fundamental incompatibility that precludes cooperation and coordination";
- lack of common equipment which is particularly acute in the voice radio area;
- lack of standardization of radio equipment and the establishment of common operating frequencies -- i.e., the Customs Blue Lightning center in Miami cannot communicate directly with Coast Guard vessels in the same area; and
- the lack of established procedural agreements and protocols among Coast Guard, Customs, and DEA that would allow tactical cooperation on a specific and ad hoc basis.

Will these problems be addressed and solved by the proposed C-3I system?

Answer : Yes.

Question: The FY87 DOD authorization bill also requires the President, by May 13, to designate lead agencies for (1) marine and air drug interdiction beyond the U.S. borders; (2) domestic and border drug interdiction efforts; and (3) domestic and foreign drug law enforcement. In your opinion, who should the lead agencies be and why?

Answer: Coast Guard is the lead agency for marine interdiction beyond the Customs waters of the United States and Customs complements that effort in some areas. The Coast Guard possesses the primary assets (i.e., large vessels) for marine interdiction beyond the twelve mile limit. Although Customs clearly has statutory authority (e.g., 19 U.S.C. 1581) to take marine interdiction actions beyond the Customs waters, we feel that Customs should play a complementary role to the primary Coast Guard function. Customs is the lead agency for marine interdiction in the Customs waters, inland waters and designated enforcement areas. Customs has historically been the lead U.S. agency for marine interdiction in the Customs and inland waters. Customs has border search authority to facilitate actions in Customs waters and has no secondary mission (such as search and rescue which the Coast Guard does have) that may interfere with the marine interdiction mission.

The Customs Service is clearly the lead agency in all areas for air interdiction efforts (i.e., surveillance/detection, interception, and apprehension). Other federal agencies, especially the Coast Guard, complement Customs in this mission. This is particularly true in the surveillance/detection of possible air targets. Customs enjoys the broad statutory authority of border search that allows suspicionless stops and searches of aircraft crossing the borders. Customs also has a national presence that allows its air units to direct land enforcement components to apprehend landing air targets and off-load conspirators. Customs does not have a secondary mission that may interfere with the air interdiction mission. And, in Congressional testimony on this subject, the Staff Director of the Joint Surveillance Committee of NNBIS, (which specifically studied the role of federal agencies in air interdiction), testified that Customs has and should retain primary air interdiction responsibility. H.R. 98th Cong., 2d Sess. Hearings at 536 (1984); testimony of Staff Director Schowengerdt.

Customs is the lead agency at and between the land ports of entry in the United States. Customs has the unique law enforcement authority of border search and thus there is no other practical choice of a lead agency. Customs is mandated by law (19 U.S.C. 1499) to examine all imported merchandise (including prohibited items such as controlled substances) arriving in the United States.

The Immigration and Naturalization Service complements Customs in the interdiction function between the ports.

The Drug Enforcement Administration is the lead federal agency in domestic drug interdiction efforts and domestic drug law enforcement efforts. Reorganization Plan No. 2 of 1973, which created DEA, clearly indicates this. Each foreign government must take the lead in its own law enforcement efforts. Both DEA and the State Department should encourage foreign governments to address this problem.

Question: Do you believe it is wise to proceed with plans for the development and construction of these C3I Centers prior to the May decision on designation of lead agencies? Shouldn't a commitment to that type of program await the President's interdiction plan?

Answer No, the 1986 Drug Bill directs that we proceed with the implementation of the C3I program and Customs is complying with Congressional intent in the matter. Regardless of which agency is designated lead, the C3I concept, location and time frame have been agreed upon by the Coast Guard and recognized by the Policy Board.

Question: Both the Siler Report and the Mitre Report refer to the collocation of C-3I sites at current NORAD sites, specifically the SOCCs at March Air Force Base and Tyndall Air Force Base. Mr. Ault has expressed that view as well as Colonel Thomas Steeves, former Commander of the March AFB SOCC and Colonel John Stocks, former Commander of Tyndall AFB SOCC, in statements submitted to the Subcommittee. The Coast Guard also apparently shares that view, as does the Department of Defense. Why, despite those recommendations, is Customs (1) building a new facility at March rather than an annex to the SOCC site as originally planned and (2) building the Florida site in Miami, as opposed to Tyndall?

Answer : The Siler Report makes no recommendations regarding C3I facilities, rather it recommends locating C3I Centers at the NORAD sites for ease of coordination. Since neither Colonel Steeves nor Colonel Stocks actually testified at the hearing, and Customs has not been given copies of the testimony they submitted, comments on their testimony is not possible. Furthermore, Customs has never seen an official Coast Guard document that addresses a preference for Tyndall AFB over a Miami C3I Center site.

In response to the first question, Customs is unaware of any qualified recommendation for an annex to a SOCC rather than a new facility. Customs has always planned for a new facility of approximately 20,000 square feet, as recommended by the Mitre Report, and verified by our own architect's programming effort.

In response to the second question, Customs originally planned to site the eastern C3I Center at Tyndall AFB. However, after examining all of the requirements associated with the eastern C3I Center - for example, the requirement for a new facility, the requirement for data from the FAA Air Traffic Control System, the requirement for an integrated Air and Marine Command Center that was responsive to the needs of south Florida state and local law enforcement agencies - Customs realized that a Miami site was much more responsive to our overall drug interdiction needs.

Question: You stated that beginning in November of 1985, Customs met with "appropriate Air Force personnel to assure a fully coordinated C-3I program". Air Force officials at the March AFB SOCC have told the Subcommittee that they worked with Customs personnel in recommending and planning an annex to the current SOCC site and were surprised to later learn that Customs was instead building a new facility at Marc, which they believe will be "duplication" of the SOCC. Who were the Air Force personnel Customs met with on C-3I?

Answer : Customs met with two separate groups of Air Force management personnel. On November 12, 1985, the Customs C3I Project Manager met with the Tactical Air Command (ADTAC) managers at Langley AFB who were responsible for the (then) Region Operations Control Centers. At that meeting a separate facility, up to 40,000 square feet, was approved in concept for March AFB. On November 23, 1985, the Project Manager met with the Commanding General of the 26th Air Division and his staff, and with the commander of the ROCC, to further discuss the planned C3I Center. It was during this meeting at March AFB that the decision to move the proposed C3I Center from a location adjacent to the ROCC to a location 500 feet away was made. The decision to move was based on the size of the new center; the location was set so Customs could have easy access to the radar and other electronic information available at the ROCC.

Question: Why has Customs decided against Defense recommendations to collocate both at Tyndall and at March?

Answer: The Sector Operations Control Centers (SOCC) at March AFB and Tyndall AFB do not have sufficient space available for the Customs Service to collocate with the Air Force. If we established the C3I's at these locations, we will be required to construct our own facilities. Since a facility will have to be constructed regardless of where we locate, it seemed to make good sense to consider the operational aspects along with all other aspects of the C3I question.

Those advocates of the SOCC (formerly ROCC) sites have lead people to believe that everything the Customs Service needs to establish the C3I is available at these facilities. This position is false and has been responsible for the mistaken impression that Customs is duplicating the SOCC, the FAA , EPIC and numerous other facilities with the C3I.

The fact of the matter are that we need certain information available from each of these facilities to be able to develop truly tactical (real time) operations center.

On the west coast, the only data elements to consider are the SOCC and the FAA since on other sources of information are readily available. Since land is available at March AFB, we have decided to locate there and transfer the necessary data from the FAA to this facility.

The east coast is an entirely different matter. We must consider not only the SOCC data and the FAA data but we must consider the BLOC data and the aerostat data available in the Miami area also. From the operational aspect, we considered the fact that drug smuggling into the east coast is a joint/marine venture. Based on this fact it is sound reasoning to collocate the air and marine C3I function into a common facility. It is also sound reasoning to locate the C3I in close proximity to interdiction activity. Since the vast majority of smuggling takes place in the Bahamas either by air drops to boats or landing and transferring to boats, Miami seems to be a logical place to locate the C3I facility.

From an operational standpoint it is a sound decision to locate the eastern C3I in Miami.

Question: Please provide to the Subcommittee any cost-benefit analysis you performed to reach that decision.

Answer: A formal cost-benefit analysis has not been performed.

Question: The Defense Department has told the Subcommittee staff that the transfer of SOCC data from Tyndall to Miami is "impractical, if not impossible". According to Defense Department the FAA radar available in Miami is not as extensive as SOCC radar and cannot view incoming aircraft as far South as the facilities at Tyndall can. Have you discussed the need to transfer NORAD data from Tyndall to the proposed C-3I center in Miami with the Defense Department? Have you also discussed the transfer of AWACS or Link 11 Data from the ROCC to Miami? Please provide to the Subcommittee the annual cost of obtaining such data at the Miami site.

Answer : Virtually all of the land based radars used by the Tyndall SOCC are Joint Surveillance System (JSS) radars that are shared with the Federal Aviation Administration. Since Customs must access radar and other information from the FAA Centers in the southeast, a determination has yet to be made if it makes financial sense to acquire the same radar data from the SOCC. In early May, when our C3I System contractor is aboard, we will make this determination and take the appropriate action. Should the decision be made to link Miami with the Tyndall SOCC, we will provide the Subcommittee with cost data. Part of the system design for the Miami Center will be a receive only Link 11 ground station; this system will be compatible with AWACS and E-2C data links.

Question: How many Customs aircraft are currently fully equipped for interdiciton operations?

Answer: The Customs Service currently has 90 aircraft fully equipped for interdiction operations. Thirty-seven of these are capable of day or night operations. Twenty five (25) of these are fully sensored with either acquisition radar and/or Flir. The remaining twelve (12) are Black Hawks. The only mission requirement for Black Hawks is that they be equipped with a "Night Sun" searchlight to be considered fully sensored. The remaining 53 aircraft are capable of day and some (depending on mission) night operations.

Question: Please provide a list of any aircraft interdicted by the Customs Service for the last five years. In doing so, please provide the amount of drugs seized, as well as the location of the seizure. In addition, please indicate the source of information leading to the seizure, radar detection, cold hit, prior intelligence, law enforcement transpounder.

Answer: AIR INTERDICTION RESULTS & SOURCE OF DETECTIONS

FY-82

RESULTS		SOURCE	
Enforcement Stops -	162	FAA	26
Total Seizures:	60	Citation	6
Narcotics Seizures:		AWACS	4
Marijuana	4,156 lbs.	Custom Fixed	5
Cocaine	211 lbs.	NORAD	7
Other Seizures:		Customs Mobile	2
Aircrafts	59	Visual	5
Vehicles	29	Other	3
Arrests	96	Beeper	1
		Lesbass	1

FY-83

RESULTS		SOURCE	
Enforcement Stops -	163	FAA	18
Total Seizures:	63	Citation	2
Narcotics Seizure:		NORAD	4
Marijuana	47,278 lbs.	Visual	8
Cocaine	2,447 lbs.	Other	16
Other Seizures:		Beeper	3
Aircraft	60	AWACS	4
Vehicles	48	Transponder	1
Arrests	140		

FY-84

RESULTS		SOURCE	
Enforcement Stops -	49	FAA	16
Total Seizures:	49	Customs Fixed	8
Narcotics Seizures:		NORAD	2
Marijuana	15,209 lbs.	Other	2
Cocaine	2,563 lbs.	AWACS	4
Other Seizures:		Customs	6
Aircraft	44	E2C	1
Vehicles	32	Aerostat-Bahamas	1
Arrests	66	Transponder	1
		Visual	8

FY-85

RESULTS

Enforcement Stops - 151
Total Seizures: 51
Narcotics Seizures:
  Marijuana 21,964 lbs.
  Cocaine 11,154 lbs.
Other Seizures:
  Aircraft 46
  Vehicles 34
  Arrests 95

SOURCE	
FAA	13
Customs Fixed	10
NORAD	2
Customs Mobile	1
Aerostat-Bahamas	1
Aerostat-Cudjoe Key	3
Customs	6
AWACS	2
E-2C	3
Other	3
Transponder	1
Visual	6

FY-86

Enforcment Stops - 83
Total Seizures: 38
Narcotics Seizures:
  Marijuana 11,483 lbs.
  Cocaine 8,430 lbs.
Other Seizures:
  Aircrafts 27
  Vehicles 18
  Arrests 61

SOURCE	
FAA	5
Customs Fixed	8
NORAD	1
Other	4
Aerostat-Bahamas	3
Aerostat-Cudjoe Key	2
AWACS	3
Customs	9
Visual	3

Question: What is an air interdiction module? How many operating modules does Customs currently have?

Answer: An Interdiction Response Unit is comprised of:

- dedicated interceptors
- trackers
- apprehension vehicles
- dedicated pilots and aircrew
- and maintenance and support facilities

Presently, there is one module to design specifications. There are seven other partials rapidly approaching, with new equipment deployment, design level.

Question: During the five-year time frame discussed above, please provide any data on the number of suspected crafts that eluded Customs aircraft due to unavailability of resources (crews or planes), inclement weather, or inability to find or track the suspect craft.

Answer: Number of Aircraft that eluded Customs Aircraft

FY-82	102
FY-83	78
FY-84	87
FY-85	98
FY-86	87

Question:	We've been told that a National Command Center is needed to sanitize intelligence received from other intelligence sources such as the Department of Defense. Aren't those same data now being supplied to the Coast Guard and Customs after being sanitized by the National Narcotics Border Interdiction System (NNBIS)? Isn't NNBIS also represented at EPIC?
Answer :	The C^3I system is to be a two-tier system consisting of a Customs National Aviation Center (CNAC) and two C^3Is. Each C^3I has tactical intelligence support responsibilities which are differentiated geographically. The responsibilities of the C^3I East, in Miami, Florida will focus on the geographic area of the eastern United States. This area includes the area east of a line drawn north from Brownsville, Texas. The C^3I West, in Riverside, California will be responsible for all territory west of Brownsville, Texas including the Mexican border and Pacific coastal areas. The CNAC will have responsibility for all tactical intelligence support south of 20 degrees latitude.

The C^3I system is to be a consumer of Tactical Air Intelligence. In accordance with existing agreements, we want to avoid duplication. It is necessary that intelligence required to support the interdiction role of the C^3I system be received, sanitized if necessary, and processed on as near to real-time basis as possible. Planned intelligence staffing at the C^3I level will preclude elaborate processing of intelligence. Further, it is not efficient to duplicate the intelligence processing function at all C^3I locations. Because the C^3I intelligence staff will be familiar with their own requirements, and because of the importance of time in the C^3I environment, it is viewed that this function is best performed at a single location, the CNAC.

The role of NNBIS is to coordinate federal, state, and local resources for drug interdiction. Also, although NNBIS has no command and control responsibilities, it does serve as a conduit for passing actionable information to appropriate enforcement agencies. If the information is classified, NNBIS is supposed to coordinate its sanitization with the originating agency. This has not been adequately done in the past. Further, interjecting another organization into the process would delay sanitization.

Since NNBIS is not a law enforcement agency, NNBIS is not represented on the EPIC advisory board. However, NNBIS does maintain a special intelligence group at EPIC in support of ongoing special operations in addition to regular liaison between NNBIS at El Paso, Texas and EPIC.

Question: Admiral Yost, Frank Ault, and GAO have all stated that they see no reason for a National Command Center, as proposed in the C3I program. Would you respond?

Answer: As a result of many years of experience of attempting to provide day-to-day operational guidance to the Customs field elements from HQ Washington, Customs has concluded that a subordinate HQ was necessary to maximize the efficiency and effective operational, administrative and logistical matters. The functions of the National Command Center are:

Command and coordinates all C3I aviation operations

Coordinates all joint activities

Directs and deploys all Customs National Surveillance Resources.

Redeploys Customs air resources in response to changing threats, or special air operations.

Question: According to an article appearing in the Baltimore Sun, October 4, 1984, entitled "Drug War in Air Gets Low Mark," "The first full year of operation for the U.S. Customs Service's four new radar planes netted only 7 drug-smuggling cases while costing nearly $5 million, according to figures supplied by the Customs." Would you comment?

Answer The ability of this aircraft to acquire initial detections of suspect targets is limited by its primary sensor. This sensor, an attack radar for an F-15, is designed to acquire known targets as an interceptor. Although exceptional for this purpose, this sensor has had little success in generating the necessary volume of suspect targets to provide Customs acceptable odds of successful case conclusions.

To correct this problem the Customs Service has received Congressional direction to modify a P-3 aircraft with a 'Hawkeye' APS-138 radar system. This radar integrated with the P-3 airframe will give Customs the needed detection ability and mission endurance to do the job.

Question: With the creation of the Customs C^3I, we will have at least four national intelligence centers for use in the drug war: EPIC, which is being expanded; Customs C^3I; NNBIS; and the proposed All Source Intelligence Center (ASIC). Why do we need all four of these?

Answer : The C^3I centers are not intelligence centers in that they do not handle intelligence or produce intelligence products for outside users. Their intelligence role is to support the operational elements in the centers. The intelligence requirements of the C^3I centers are unique and cannot be met by existing intelligence capabilities. The C^3I environment requires the fusion of sensor data including radars, with intelligence information to provide a decision aid to the C^3I commander who will use this fused information to allocate, deploy, and launch interdiction assests. The intelligence necessary to qualify sensor data and command interdiction assests cannot be provided on a real-time basis or in a usable form by remote intelligence centers. The capabilities of EPIC and other intelligence sources which can be used to support the C^3I commanders will not be duplicated but will be incorporated intact into the system. In fact, the U.S. Customs Service, the U.S. Coast Guard, the Drug Enforcement Administration and the EPIC staff have agreed in principle that EPIC will support the C^3I system through an automated interface which will be developed for the C^3I system. The interface will allow query of EPIC data bases by th C^3I centers.

The role of NNBIS is to coordinate federal, state, and local resources for drug interdiction. Also, although NNBIS has no command and control responsibilities, it does serve as a conduit for passing actionable information to appropriate enforcement agencies. If the information is classified, NNBIS is suppose to coordinate its sanitization with the originating agency (although this has not been adequately done in the past). As currently proposed, ASIC will focus on trends and patterns in drug supply, trafficking, smuggling, distribution, and use. The El Paso Intelligence Center (EPIC) will continue to serve as the all-source tactical intelligence center for support of drug interdiction.

Additional Questions/Customs

Question: What intelligence will Customs C^3I have that's not already available through the others?

Answer : The C^3I system will not duplicate existing data bases but will to the extent possible simply access them. The only data bases which will be created will include information unique to the geographical and situational responsibilities of the C^3I Centers. Examples of these unique intelligence data bases include radar track data, geographic cross-refencing of existing intelligence reports and products, and pattern analysis of normal and suspect activity in a sensor environment.

The primary Customs Service data base used by the C^3Is will be in the TECS II system due to be implemented Customs-wide on October 1, 1987. The TECS II system will be an unclassified system and will contain the vast majority of intelligence on air and marine smuggling available to the U.S. Customs Service. This system will provide the base and primary vehicle for the C^3I intelligence data base. The system created will be compatible with the TECS II system to provide for the fusion of classified and unclassified information.

Question: If there are delays or problems in the other intelligence centers, why not merely fix these problems rather than start over again with a new center?

Answer : The NAC and the C^3Is are not seen by Customs as "intelligence centers", but as customers for other intelligence centers, appropriate data bases, and reports from the intelligence community. It is necessary to have the information available in order to process it against radar information. This processing is an absolute necessity for the C^3Is to fulfill their operational role.

Question: As you understand it, what will be the function of the new All Source Intelligence Center (ASIC)? Is it needed for drug interdiction purposes?

Answer : The function of the ASIC, as currently proposed, will be a fusion of strategic drug intelligence from all antidrug agencies. Analysis will be done on drug production and availability, trafficking patterns, and the attitudes and capabilities of foreign governments on narcotics issues for use by decision makers for resource deployment and policy planning. ASIC will focus on trends and patterns in drug supply, trafficking, smuggling, distribution, and use. The El Paso Intelligence Center (EPIC) will continue to serve as the all-source tactical intelligence center for support of drug interdiction.

Question: The MITRE Report dated October 1985 reports that the Commissioner of Customs had selected the C3I system including two Centers, one at March AFB and the other "Eastern location may be at Tyndall Air Force Base." The report makes no mention of collocating with the marine interdiction C3 facilitate at Miami. There is also no mention of a third air interdiction C3I site not a National Command Center. Since this appears to be the final study of C3I, where is the justification for the National Command Center documented?

Answer: The MITRE study looked at a number of C3I location options: certainly there had been no decision on which option or what locations would be decided upon at the time of the Mitre study.

The coordination of the air and marine command and control efforts is a reflection of the increased threat the smuggler poses to interdiction efforts in the southeast. Since the Mitre Study the smuggler has diverted to extensive air drop operations to waiting boats. It is the opinion of Customs that a closely coordinated effort between air and marine forces is necessary to counteract this smuggler method of delivery. We are confident that a joint air/marine C3I facilitates that coordination as well as improves state and local participation.

Question: Was there ever a study to consider the need for a National Command Center?

Answer: Effective management of the growing, but limited, assets in the Customs drug interdiction inventory requires an internal centralized command structure to do this. To quote former Customs consultant Frank Ault, "possibly the most serious deficiency in the tactical interdiction operation is the lack of hour-to-hour, minute-by-minute management at the border." The C3I system, including the National Command Center, addresses this need much the same as the North American Aerospace Defense (NORAD) Command Center.

Question: The Department of Defense has provided the Subcommittee with documentation that USAF personnel at the March SOCC referred 96 "tracks of interest" to Customs between November 2, 1986, and February 18, 1987. What did Customs air wing do with these 96 "tracks of interest"; give complete details for each one. Please provide the Subcommittee with the number of "tracks of interest" that the Customs Service personnel developed on their own during the same period of time. This number should not include any tracks provided by the Air Force. How many tracks led to launches of Customs air planes? How many were intercepted?

Answer: See attachment

Q. What did the Customs Air Wing do with these 96 "tracks of interest;" give complete details for each one.

A.

TRACK
# 1 - 2 Nov 86 - ZULU - Rental A/C - legal - no suspect on board.
2 - 3 Nov 86 - ZULU - (E3) Rental A/C - legal - no suspect on board.
3 - 5 Nov 86 - ZULU - Rental A/C - legal - no suspect on board.
4 - 5 Nov 86 - ZULU - (E3) Rental A/C - legal - no suspect on board.
5 - 5 Nov 86 - ZULU - (E3) Rental A/C - legal - no suspect on board.
6 - 6 Nov 86 - ZULU - Rental A/C - legal - no suspect on board.
7 - 6 Nov 86 - ZULU - Rental A/C - legal - no suspect on board.
8 - 6 Nov 86 - ZULU - Rental A/C - legal - no suspect on board.
9 - 11 Nov 86 - ZULU - Rental A/C - legal - no suspect on board.
10 - 12 Nov 86 - ZULU - Rental A/C - legal - no suspect on board.
11 - 13 Nov 86 - There wwere a total of 12 tracks passed this day. These
12 - tracks were coordinated between the USCS DSS on board the
13 - E3 and the Customs DSS on the ground at the March SOCC.
14 - All flights were confirmed on legal flights (i.e. on flight
15 - plan) to a port of entry or faded prior to reaching/crossing
16 - the U.S. - Mexican border.
17 -
18 -
19 -
20 -
21 -
22 -
23 - 17 Nov 86 - ZULU - Presidio TX to Odessa TX
24 - 17 Nov 86 - ZULU - Odessa TX to Presidio TX
25 - 18 Nov 86 - ZULU - Rental A/C - legal - no suspect on board.
26 - 18 Nov 86 - (E3) Search only - track faded prior to crossing border.
Faded over Nogales, Mexico, probably landed.
27 - 19 Nov 86 - ZULU - (E3) inadvertent dial through by private A/C.
*28 - 21 Nov 86 - ZULU - Los Angeles area to Las Vegas
29 - 21 Nov 86 - ZULU - Rental A/C - legal - no suspect on board.
30 - 22 Nov 86 - ZULU - Rental A/C - legal - no suspect on board.
31 - 23 Nov 86 - ZULU - Rental A/C - legal - no suspect on board.
32 - 23 Nov 86 - ZULU - Rental A/C - legal - no suspect on board.
33 - 24 Nov 86 - ZULU - Rental A/C - legal - no suspect on board.
34 - 24 Nov 86 - ZULU - Rental A/C - legal - no suspect on board.
35 - 26 Nov 86 - ZULU - Rental A/C - legal - no suspect on board.
36 - 26 Nov 86 - ZULU - Presidio TX to Odessa TX
*37 - 26 Nov 86 - ZULU - Odessa TX to Presidio TX
*38 - 27 Nov 86 - ZULU - Rental A/C - legal - no suspect on board.
*39 - 29 Nov 86 - ZULU - Rental A/C - legal - no suspect on board.
40 - 30 Nov 86 - ZULU - Rental A/C - legal - no suspect on board.
41 - 1 Dec 86 - ZULU - Rental A/C - legal - no suspect on board.
42 - 2 Dec 86 - ZULU - Rental A/C - legal - no suspect on board.
43 - 4 Dec 86 - ZULU - Maintenance Check - Alamagordo NM
44 - 5 Dec 86 - ZULU - Rental A/C - legal - no suspect on board.
45 - 5 Dec 86 - ZULU - Alamagordo to El Paso

TRACK
46 - 6 Dec 86 - ZULU - Rental A/C - legal - no suspect on board.
47 - 6 Dec 86 - ZULU - Rental A/C - legal - no suspect on board.
48 - 7 Dec 86 - ZULU - Rental A/C - legal - no suspect on board.
49 - 8 Dec 86 - ZULU - Phoenix to Alamagordo
50 - 10 Dec 86 - ZULU - Rental A/C - legal - no suspect on board.
51 - 9 Dec 86 - ZULU - (E3) Rental A/C - legal - no suspect on board.
52 - 12 Dec 86 - ZULU - Presidio TX to Odessa TX
53 - 8 Dec 86 - ZULU - Rental A/C - legal - no suspect on board.
54 - 12 Dec 86 - ZULU - Odessa TX to Presidio TX
55 - 14 Dec 86 - ZULU - Rental A/C - legal - no suspect on board.
56 - 15 Dec 86 - ZULU - Blythe CA to Long Beach CA
57 - 16 Dec 86 - ZULU - (E3) Rental A/C - legal - no suspect on board.
58 - 17 Dec 86 - ZULU - Mexico to Tucumcarri NM. USCS already tracking requested AWAC's assistance in tracking north; 600 lbs marijuana, 2 suspects, 1 plane.
59 - 18 Dec 86 - ZULU - Blythe to Burbank
60 - 19 Dec 86 - ZULU - Rental A/C - legal - no suspect on board.
*61 - 19 Dec 86 - ZULU - Brown Field CA to Long Beach CA
*62 - 20 Dec 86 - ZULU - East Texas to Odessa
63 - 20 Dec 86 - ZULU - Odessa to Presidio
64 - 22 Dec 86 - ZULU - CONUS ZULU ?
65 - 27 Dec 86 - ZULU - Rental A/C - legal - no suspect on board.
66 - 28 Dec 86 - ZULU - Northern U.S. to Houston TX.
67 - 29 Dec 86 - ZULU - Houston TX to Eagle CO
68 - 30 Dec 86 - ZULU - Las Vegas NV to El Paso TX
69 - 30 Dec 86 - ZULU - John Wayne Airport CA to Las Vegas NV
*70 - 1 Jan 87 - ZULU - Long Beach CA to Twin Falls, Idaho
71 - 2 Jan 87 - ZULU - Las Vegas NV to John Wayne Airport CA
72 - 2 Jan 87 - ZULU - Aspen CO to Burbank CA
73 - 2 Jan 87 - ZULU - local flight El Paso TX area
74 - 5 Jan 87 - ZULU - Lake Tahoe to Long Beach CA
75 - 6 Jan 87 - ZULU - John Wayne Airport CA to the N.E. (Las Vegas?)
76 - 6 Jan 87 - ZULU - From N.E. (Las Vegas?) to Long Beach CA
77 - 21 Jan 87 - ZULU - From N.E. (Las Vegas?) to Long Beach CA
78 - 23 Jan 87 - ZULU - Deming NM to Tucson AZ
79 - 24 Jan 87 - ZULU - Tucson AZ to Douglas AZ
80 - 26 Jan 87 - ZULU - Long Beach CA to Brown Field CA
81 - 28 Jan 87 - (E3) Mexican A/C on legal flight plan to Tucson AZ
82 - 28 Jan 87 - (E3) A/C landing at Nogales MX. Never crossed border.
83 - 28 Jan 87 - (E3) Suspect A/C - L54 intercepted - A/C legal on flight plan to Tucson AZ
84 - 29 Jan 87 - ZULU - Mexico to Douglas to Deming - legal
85 - 30 Jan 87 - ZULU - Mojave to Long Beach CA
86 - 1 Feb 87 - ZULU - Deming NM to El Paso TX
87 - 1 Feb 87 - ZULU - El Paso TX to Chihuahua MX
88 - 5 Feb 87 - ZULU - Phoenix AZ to Prescott AZ
89 - 5 Feb 87 - ZULU - Prescott AZ to Las Vegas NV
90 - 7 Feb 87 - ZULU - Las Vegas NV to Phoenix AZ
91 - 9 Feb 87 - (E3) Search only track south of Nogales heading north. Track legal on flight plan to Tucson AZ
92 - 4 Feb 87 - ZULU - Tucson AZ to Phoenix AZ
93 - 14 Feb 87 - Chihuahua MX to Douglas to Deming NM - legal
94 - 15 Feb 87 - Austin TX to El Paso TX

TRACK
95 - 17 Feb 87 - (E3) Possible ZULU no direction of flight heading, alt spd, etc.
ZULU fade - suspected dial through. Info passed to L1750
96 - 18 Feb 87 - (E3) Search only track south of Tucson
Track legal - on flight plan to Tucson AZ

Except for the seven asterisks, all of these tracks were already being monitored and processed by the USCS DSS on duty at the March SOCC. All tracks were identified and the appropriate agencies notified. All were legal tracks--no USCS actions required.

Q. Provide the subcommittee with the number of "tracks of interest" that the Customs Service personnel developed on their own during the same period of time.

Targets meeting USCS sorting criteria: Legal - 3,513
Illegal - 8
ZULU transponders - 106

Q. How many tracks led to launches of USCS aircraft?

Ground - 10
Airborne - 5
Legal - 7

Q. How many were intercepted? Illegal - 3
Eluded capture- 5

Q. How many "tracks of interest" have led to a successful interdiction:

A. 26, of which 7 tracks were illegal.

GIVE COMPLETE DETAILS:

16 FEB 84 - Target intercepted crossing border into R5103A. Target was identified as a high altitude balloon.

15 MAR 84 - ZULU target followed from border crossing to Chandler airport. Two (2) males on board. Aircraft held for navigation violation.

16 MAR 84 - Yuma border crossing - Omaha 67 intercepted and followed aircraft to Injokern airstrip. Aircraft legal - no contraband - pilot says he departed from Luguna AAF.

20 MAR 84 - High speed search only target crossing border. Followed to Hobbs NM. Aircraft ID as airliner (Air Midwest) with an inop transponder. Legal.

25 MAR 84 - Del Rio TX border crossing - OM40 intercepted aircraft. Aircraft legal - no contraband.

4 DEC 85 - Tuscon Air Branch reports a C206 crashed near Gila Bend AZ 1 SOB/DOA and undetermined amount of marijuana.

26 JAN 86 - Imperial CA border crossing - OM82/89 intercepted. Target landed Thermal CA. Aircraft legal - No contraband.

27 FEB 86 - Imperial CA border crossing - OM70/38 intercepted aircraft and followed him to Riverside, then south back to Mexico. Aircraft then returned and landed at Desert Air Sky, Salton Sea CA. One (1) SOB Aircraft seized for navigation violation.

6 JUN 86 - El Paso border crossing - Report of shooting from aircraft. L81 intercepted aircraft. Aircraft ID as of Fish & Game Dept airplane shooting coyotes. Legal.

7 JUN 86 - OM54/71 from Tucson intercepted aircraft. 1000 lbs of cocaine, 4 vehicles, 4 arrestees, 1- Piper Aztec.

9 JUN 86 - Imperial CA border crossing - L17 intercepted target. Target landed Calexico. Aircraft had strayed south. Legal - no contraband on board.

19 AUG 86 - Sells AZ border crossing - L54 intercepted target landing Tucson International. Flight was on flight plan but not squawking. Legal, no contraband.

3 NOV 86 - Columbus NM border crossing - L29/54/47/82/99 intercepted target - followed target to Orange County CA. Aircraft cut across Mexico from El Paso. Legal - no contraband.

10 DEC 86 – Yuma border crossing - Followed target to Prescott AZ. Aircraft pilot was lost - legal - no contraband.

11 DEC 86 – Imperial CA border crossing - L82/85/91/70/71/SL intercepted aircraft. Three (3) suspects arrested, 2 vehicles, 1 aircraft, load of marijuana.

17 DEC 86 – Big Bend area, TX border crossing - 600 lbs of marijuana. Two (2) arrests - 1 aircraft.

19 JAN 87 – Civil Air Patrol report of aircraft operating from a dry lake bed. L63 intercepts aircraft landing at Flabob CA. Flight legal IP and Student - No contraband.

26 JAN 87 – Deming NM border crossing - Aircraft followed to El Paso. Aircraft was carrying doves. Pilot says he was blown off course. Legal.

28 JAN 87 – Yuma AZ border crossing - L82 launched, USMC identified target prior to L82 reaching area, as a UH-1N rescue helicopter.

15 FEB 87 – Lukeville AZ border crossing - L54/L91/61/99 intercepted target landed east of Gila Bend. Five (5) arrests, 3 vehicles, 1 aircraft, 500 lbs of marijuana.

21 FEB 87 – Yuma ZA border crossing - L65/L31/L71 intercepts pilot landing Tucson AZ. Pilot said he was disoriented. Legal - no contraband.

5 MAR 87 – Columbus AZ border crossing - target heading 340° 90 KTS. L50 intercepted target. Target ID as a passenger car on a road.

8 MAR 87 – Tijuana MX border crossing - L31 intercepted target. Target aircraft was an IP and student pilot who mistook the Laguna Salada for the Salton Sea. Legal - no contraband.

1 APR 87 – Columbus NM border crossing - OM14 intercepted track. Track then turned back south into Mexico.

12 APR 87 – Yuma AZ border crossing - L82 intercepted aircraft landing Gillespie Field CA. Pilot said he was from Lake Martinez. Legal - no contraband.

20 APR 87 – Yuma AZ border crossing - L38/L82 intercepted target landing Las Vegas NV. Pilot didn't realize he had strayed south when departing Calexico CA. Legal - no contraband.

Effective August 1986, the March SOCC was manned by USCS personnel 7 days a week, 16 hours a day. In the near future, the operation will be extended to 24 hours a day. This, along with increased radar coverage, will greatly increase our productivity.

Question:	Since the Customs Service personnel have been present at the Tyndall SOCC, how may "tracks of interest" have led to a successful interdiction? Please give complete details of each, including dates, times persons seized, amounts seized, place of seizure, names of defendants, and names of Customs crews involved in the seizures, if any.
Answer:	There are too many "tracks of interest" to compile. The tracks that are compiled by Customs are "Violator" tracks. The details of these violator tracks and the particulars of the 36 seizures effected are attached for the Tyndall SOCC.

SEP 84: Customs liaison officer assigned to S.E.ROCC

15 NOV 84: Unknown detected south of Panama City, Fl. Aircraft tracked to Destin Fl and abandoned. A/C seized. Pilot found dead in Motel next morning Narc overdose. DEA arrest and Prosecuted

28 JAN 85: Unknown "ZULU" detected and tracked to Lakeland,Fl where N 31WL and 988 lbs Coke Seized. 1 arrest.

14 FEB 85: N 52709 detected. Fugative arrested.

10 MAY 85: Unknown "ZULU" detected S.W of Key West, Intercepted, tracked to Charleston. S.C. Load lost. Aircraft N 6391Y Seized. Associates later arrested and prosicuted

4 OCT 85: Tracked Primary target to Bay Minette, Al. Aircraft and 1700 lbs Coke Seized. DEA, GBI and Customs Case resulted in subsequent arrest and prosecutions.

26 NOV 85: Aircraft N 3410A detected, Intercepted and observed airdropping north of Homestead. Aircraft and contraband seized and arrest made.

23 DEC 85: AWACS detected, ROCC directed intercept, aircraft tracked to Lehi Acres, off loaded on road and escaped 11 Bales of Marajuana Seized. ROCC ASSIST

1 JAN 86: Unknown detected South of N. Orleans, Customs Intercepted and tracked to San Marcus, Tx. Aircraft and 500 lbs Marajuana Seized. 1 Arrest

21 JAN 86: AWACS detected. ROCC Coordinated. Customs Intercepted and lost target after identifying as N 3799Y. Found next day abandomed in pasture. No load. Aircraft Seized

29 JAN 86: Unknown detected in GULF, Intercepted and tracked to Sarasota. Aircraft N 4118Q Seiqed for USC 1703.

02 FEB 86: Cuban overflight unknown detected, Intercepted by Customs, tracked to road near Melborne Fl. Pilot arrested. Aircraft N 5812Y, 150 lbs Marajuana and 10 lbw hash oil seized.

05 FEB 86: AWACS detected, Customs Intercepted and tracked into heavy weather. Suspect crashed. Unknown results.

04 MAR 86: Unknown detected S.W. of Key West. Customs Intercepted identified and tracked N 86351 which airdropped 15 bales and ditched in the intercoastal of Palm Beach. 3 Arrests and 600 lbs Marajuana and 1 van Seized.

SEP 86: One U.S. Customs Detection Systems Specialist assigned

08 SEP 86: Unknown detected S.E. Key West. Customs Intercepted identified target as N 9558G and observed 25 packages being jettisoned from aircraft. No arrest or seizures

09 OCT 86: Unknown detected S.E. Key West. Customs Intercepted identified target as N 4660P and observed air drop to 2 vessels. Aircraft landed Bimini, 2 arrested and aircraft seized.

12 OCT 86: Unknown detected S.E. Key West. Air Force Intercepted and observed airdrop. Customs intercepted and tracked to Tamiami. Aircraft Seized and 2 arrests.

25 OCT 86: Unknown detected West of Cedar Key. Customs Intercepted and tracked to Crystal River. Aircraft clean; however, discovered to be stolen after 2 individuals departed the area. Aircraft secured. Warrants issued of the two individuals.

07 NOV 86: Unknown detected S.E. Key West. Customs Intercepted and tracked to Marathon, Fl. where until aircraft crashed offshore. CG identified aircraft as N 2107C

08 NOV 86: Unknown detected S.E. Key West. No Customs Response available. Tracked to Winterhaven Fl, where N 84959 was seized with debris and 3 arrested.

21 NOV 86: Unknown detected West of Key West. Customs Intercepted identified as N 7226B and observed 6 bales being dropped after seeing interceptor. Aircraft proceeded to Bimini where 2 individuals were detained overnight but released when no contraband was recovered.

07 DEC 86: C-3 requested ROCC assistance. C-210 tracked and coordinated with FAA facilities, resulting in the seizure of a van, aircraft and 1600lbs Marajuana 2 arrests in leesburg, Va.

16 DEC 86: Unknown detected S.E. of Key West circleing in the Orange Cay area. Aircraft N 6142B proceeded to Nassau Customs aircraft responded to Orange Cay where two "go fast" vessels were observed recovering bales and canasters from the water. Contraband was later thrown overboard and vessel abandomed.

17 DEC 86: Unknown detected West of Key West. Proceeded to and circled in the Cay Sal area. Customs Intercepted and tracked the aircraft to Bimini where upon attempting to land crashed off the end of the runway. One injured one escaped.

18 DEC 86: Unknown detected S.E. Key West orbiting in the Cay Sal area. Air Force intercepted and identified as N 9290Y, which proceeded to Nassau. BAT notified. CG Falcon dispatched to Cay Sal reported vessel recovering Bales from the water. CG later seized 1 vessel, 1 Ton of Marajuana and arrested 2 persons.

31 JAN 87: Unknown detected S.E. of Key West in the area of Dog Rocks orbiting. Customs Intercepted and identified the aircraft as N 2005V which proceeded to Nassau. Customs Blackhawk retrieved one bail. Aircraft Seized 2 individuals detained.

01 FEB 87: "ZULU" detected in southern Gulf. Customs Intercepted and identified N 2228R which airdropped in the Crystal River area. Fla Marine Patrol recovered 240 lbs next day. It is suspected that the pilot bailed out and the aircraft crashed in the Gulf.

18 FEB 87: Unknown detected N.W. of Sarasota and tracked to Boca Park, Fl. Customs arrived 10 min after pilot and crew departed area. [illegible] showed indication of airdrop prior to detection. Aircraft seized for configuration.

19 FEB 87: Unknown detected in area of Williston, Fl. orbiting. Customs aircraft spotted [illegible] fisherman "[illegible]" which was seized with another vessel and [illegible] of Marijuana by the CG. 3 arrests.

25 FEB 87: "Child" N [illegible] detected over [illegible]. Aircraft [illegible] to track fugitive. Aircraft tracked with assistance of Tallahassee FSS approach to Chattahoochee, Fl. Next day surveillance resulted in the arrest of three persons, 2 of which were fugitives. Weapons also seized.

03 MAR 87: Unknown primary detected orbiting in the Cay Sal area. Radar tracked to Marathon, then N.E. to Key Largo where it faded from radar. Queen Air N [illegible] discovered next day in the water near Card Sound bridge. No contraband or crew aboard. The Coast Guard seized 2 vessels in the Cay Sal area. Strong possibility of connection with N [illegible].

24 MAR 87: Unknown primary detected S.E. of Homestead. [illegible] AF 1200 landed at Marathon. Aircraft seized for configuration.

12 MAR 87: Unknown primary detected S.E. of Miami. Customs intercepted and tracked to [illegible] where [illegible] was seized for debris.

02 APR 87: Controlled Delivery "Child" detected S.W. of Key West. Customs intercepted N-[illegible] and tracked to Bartow, Fla. Contraband ([illegible]) seized.

08 APR 87: Unknown primary detected S.E. of Key West. Marine [illegible] intercepted and observed airdrop in progress. Navy recovered [illegible] lbs [illegible], seized 1 vessel and arrested 5 individuals. Customs Marine units seized 1 vessel, weapons and arrested 3 individuals. An additional [illegible] lbs [illegible] recovered from water by [illegible].

13 APR 87: Unknown primary detected S.W. of Key West. Got on flight plan. Visited by Customs and FBI.

21 APR 87: Unknown primary detected S.E. of Key West. Customs intercepted and observed [illegible] airdrop [illegible] 23 bales. Aircraft tracked to Flamingo where it landed on the beach. Coast Guard recovered one bale. Customs Marine units seized 1 vessel, weapons, night scope and arrested two individuals.

Question Please provide the same information for the Miami FAA/Customs C-3I site.

Answer: There are too many "tracks of interest" to compile. The seizure statistics for the Miami FAA/C3 are listed below:

FY 1982		FY 1985	
Seizures	8	Seizures	56
Marijuana	100	Marijuana	27,481
Cocaine	0	Cocaine	9,351
Aircraft	6	Aircraft	38
Arrests	11	Vehicles	21
		Vessels	2
		Arrests	85

FY 1983		FY 1986	
Seizures	6	Seizures	24
Marijuana	2,060	Marijuana	11,698
Cocaine	600	Cocaine	9,085
Aircraft	8	Aircraft	10
Arrests	11	Vehicles	9
		Vessels	1
		Arrests	65

FY 1984		FY 1987	
Seizures	20	Seizures	13
Marijuana	1,932	Marijuana	2,944
Cocaine	3,305	Cocaine	5,341
Aircraft	14	aircraft	8
Vehicles	2	Vehicles	6
Vessels	2	Vessels	0
Arrests	131	Arrests	33

Question Please provide the same information for the March SOCC/Customs C-3I site.

Answer: See attached.

Q. How many "tracks of interest" have led to a successful interdiction:

A. 26, of which 7 tracks were illegal.

GIVE COMPLETE DETAILS:

16 FEB 84 – Target intercepted crossing border into R5103A. Target was identified as a high altitude balloon.

15 MAR 84 – ZULU target followed from border crossing to Chandler airport. Two (2) males on board. Aircraft held for navigation violation.

16 MAR 84 – Yuma border crossing - Omaha 67 intercepted and followed aircraft to Injokern airstrip. Aircraft legal - no contraband - pilot says he departed from Luguna AAF.

20 MAR 84 – High speed search only target crossing border. Followed to Hobbs NM. Aircraft ID as airliner (Air Midwest) with an inop transponder. Legal.

25 MAR 84 – Del Rio TX border crossing - OM40 intercepted aircraft. Aircraft legal - no contraband.

4 DEC 85 – Tuscon Air Branch reports a C206 crashed near Gila Bend AZ 1 SOB/DOA and undetermined amount of marijuana.

26 JAN 86 – Imperial CA border crossing - OM82/89 intercepted. Target landed Thermal CA. Aircraft legal - No contraband.

27 FEB 86 – Imperial CA border crossing - OM70/38 intercepted aircraft and followed him to Riverside, then south back to Mexico. Aircraft then returned and landed at Desert Air Sky, Salton Sea CA. One (1) SOB Aircraft seized for navigation violation.

6 JUN 86 – El Paso border crossing - Report of shooting from aircraft. L81 intercepted aircraft. Aircraft ID as of Fish & Game Dept airplane shooting coyotes. Legal.

7 JUN 86 – OM54/71 from Tucson intercepted aircraft. 1000 lbs of cocaine, 4 vehicles, 4 arrestees, 1- Piper Aztec.

9 JUN 86 – Imperial CA border crossing - L17 intercepted target. Target landed Calexico. Aircraft had strayed south. Legal - no contraband on board.

19 AUG 86 – Sells AZ border crossing - L54 intercepted target landing Tucson International. Flight was on flight plan but not squawking. Legal, no contraband.

3 NOV 86 – Columbus NM border crossing - L29/54/47/82/99 intercepted target - followed target to Orange County CA. Aircraft cut across Mexico from El Paso. Legal - no contraband.

10 DEC 86 – Yuma border crossing - Followed target to Prescott AZ. Aircraft pilot was lost - legal - no contraband.

11 DEC 86 – Imperial CA border crossing - L82/85/91/70/71/SL intercepted aircraft. Three (3) suspects arrested, 2 vehicles, 1 aircraft, load of marijuana.

17 DEC 86 – Big Bend area, TX border crossing - 600 lbs of marijuana. Two (2) arrests - 1 aircraft.

19 JAN 87 – Civil Air Patrol report of aircraft operating from a dry lake bed. L63 intercepts aircraft landing at Flabob CA. Flight legal IP and Student - No contraband.

26 JAN 87 – Deming NM border crossing - Aircraft followed to El Paso. Aircraft was carrying doves. Pilot says he was blown off course. Legal.

28 JAN 87 – Yuma AZ border crossing - L82 launched, USMC identified target prior to L82 reaching area, as a UH-1N rescue helicopter.

15 FEB 87 – Lukeville AZ border crossing - L54/L91/61/99 intercepted target landed east of Gila Bend. Five (5) arrests, 3 vehicles, 1 aircraft, 500 lbs of marijuana.

21 FEB 87 – Yuma ZA border crossing - L65/L31/L71 intercepts pilot landing Tucson AZ. Pilot said he was disoriented. Legal - no contraband.

5 MAR 87 – Columbus AZ border crossing - target heading 340° 90 KTS. L50 intercepted target. Target ID as a passenger car on a road.

8 MAR 87 – Tijuana MX border crossing - L31 intercepted target. Target aircraft was an IP and student pilot who mistook the Laguna Salada for the Salton Sea. Legal - no contraband.

1 APR 87 – Columbus NM border crossing - UM14 intercepted track. Track then turned back south into Mexico.

12 APR 87 – Yuma AZ border crossing - L82 intercepted aircraft landing Gillespie Field CA. Pilot said he was from Lake Martinez. Legal - no contraband.

20 APR 87 – Yuma AZ border crossing - L38/L82 intercepted target landing Las Vegas NV. Pilot didn't realize he had strayed south when departing Calexico CA. Legal - no contraband.

Effective August 1986, the March SOCC was manned by USCS personnel 7 days a week, 16 hours a day. In the near future, the operation will be extended to 24 hours a day. This, along with increased radar coverage, will greatly increase our productivity.

Question: Regarding the recent agreement on joint Customs/Coast Guard command of the Southeast C3I Center, it is true that this same rotational proposal was suggested by the Coast Guard in December 1986, but declined by Customs? If so, what has caused Customs to change its view on this?

Answer: The command structure of the Southeast C3I was discussed verbally between Admiral Robbins of the Coast Guard and Assistant Commissioner Rosenblatt of Customs. Customs approved a two year rotating joint command starting with Customs, not as originally suggested by Coast Guard for one year.

Question: Did the timing of this Hearing have anything to do with the decision to agree on a joint command?

Answer: Meetings have been frequently held to discuss this, and other policy and operational issues. Whether or not a particular hearing served to enhance the saliency of a particular issue would only be a matter of conjecture on my part.

Question: The agreement speaks, as I read it, only to joint command of the Southeast C3I Center. Does it cover any of the following issues:

- Design issues, such as the question of whether C3I should be at Tyndall or Miami
- Questions on the location of the C3I site at March AFB
- The need for the National Command Center
- The question of lead agency responsibility

If not, is there still disagreement on these issues?

Answer: As to where the Southeast C3I Center is located, that is decided. We have agreed with the Coast Guard to locate it at Richmond Heights.

- No, it does not address the site at March AFB.

- No, it does not address the NCC.

- No, it does not address lead agency responsibility

The hearing transcript speaks for itself.

Question: Are you satisfied with this agreement? What are its strenghts and weaknesses, in your opinion?

Answer: Yes, it is a workable agreement in which the Coast Guard and Customs can work together effectively to interdict drug traffic.

Question: What role has the National Narcotics Border Interdictionion System (NNBIS) played in the development of the system? What is their function in the drug interdiction effort?

Answer: NNBIS has been involved in the C3I Interagency Coordination Committee since it's inception and first meeting on November 5, 1986. They have been involved in virtually all aspects and meetings since that time.

NNBIS was created in March 1983, by Presidential directive and placed under the Vice President, through association with NNBIS and the South Florida Task Force, the Vice President and the nation drug law enforcement effort are inextricably linked. It is incumbent upon the NNBIS staff to insure positive strides are made in our national anti-drug program.

The mission of NNBIS is defined by the Vice President is to coordinate the multi-agency joint efforts of the drug law enforcement agencies, and to call on any and all appropriate federal resources, as well as state and local, able to participate in NNBIS programs which will increase the effectiveness and efficiency of this country's drug interdiction efforts.

The objectives of NNBIS are:

- To enhance interagency coordination and cooperation in drug interdiction efforts.
- To increase the contributions of the Department of Defense and military services in the effort against drugs, without adversely affecting national security.

Question: Both OTA and Mr. Ault mentioned at the hearing that there is a need for increased inspection of legitimate commercial cargo for drugs, saying that the percentage now inspected is currently very small. Do you agree? What is Customs currently doing to increase our capability in that respect?

Answer : It is not feasible to examine all imported cargo 100 percent. Therefore, we must ensure the accurate targeting of high risk cargo for examination. In 100 percent of the cases entry documentation is reviewed to determine if the shipment presents a risk. Twenty percent of the imported cargo is physically examined based on targeting information contained in the selectivity module of our Automated Commercial System (ACS). This system has been developed to provide sufficient information for Customs to select those shipments which pose a potential risk, while assuring compliance with our agency regulations.

Cargo which is determined to be low-risk is also examined randomly to ensure that our targets are accurate. I believe the continued expansion of the ACS selectivity module and the random examination of designated low risk cargo will increase our capability to interdict drugs.

Question: OTA and Mr. Ault also mentioned the need for increased R&D and the development of new technology in that area. Do you agree, and what is Customs doing in that respect?

Answer : Customs recognized the need for technologies appropriate to the inspection of cargo containers several years ago. Indeed, several highly recommended technologies (gas chromatography, ion mobility spectrometry, for example) were tried and failed to perform adequately. We are continuing to investigate methods of solving this extremely complex problem. There are a few technologies that hold promise, but require some extended developmental effort. In the near term we are supporting a high energy X-ray demonstration in Miami, Florida, that will be privately funded and managed by the Dade County Airport Authority.

Question: Both Mr. Ault and GAO were critical of your use of "evolutionary acquisition." Would you respond?

Answer: When Customs was preparing to acquire its C3I System we investigated the acquisition strategies available. There were only two: the traditional method and evolutionary acquisition, or EA. A DOD sponsored study strongly recommended that EA be used for the procurement of command and control systems - primarily due to the nature of the systems, advances in technology, changes in threat, and the requirement for strong user interaction during the design process. Customs wholeheartedly agreed with this logic and decided to use EA for the acquisition of its C3I system.

In a recent article in Signal magazine (March 1987, pages 63-70), a senior official in the Defense Communications Agency explains how evolutionary acquisition is used in the development of a major command and control system, and how key this strategy will be to the project's success. There are several other articles and examples of EA's acceptance by true command and control acquisition professionals. Customs is quite satisfied with this strategy and would recommend it to others contemplating the acquisition of a system similar to ours. We would suggest that both Mr. Ault and the GAO investigate the use of EA within the command and control community and the emphasis given to EA with the Department of Defense. We feel that one of the major contributions made to the Customs C3I effort by the DOD was their recommendation that we use evolutionary acquisition to procure our C3I System.

Question: How do you see the Defense Department's role in the drug war? What do you see as your relationship with the Defense Department?

Answer: The Department of Defense (DOD) can best be used in the drug war in a support role. The various military services have provided equipment, equipment operators and various types of intelligence for several years now and this assistance has proven invaluable to the drug interdiction mission. Continued support of this type, on a non interference basis, will allow the Customs Service to be more productive without hampering the National Security role of DOD.

The Customs Service relationship with the military services at the working level and DOD at the Pentagon has been excellent. DOD has been extremely cooperative and have responded to our requests in a timely manner.

Question: The 99th Congress provided considerable resources for drug interdiction. How effective was that legislation, and were the funds allocated in an optimum manner?

Answer: The resources authorized by the drug bill and funded in the Continuing Resolution will enable the Customs Service to respond more effectively to the drug smuggling threat. With these resources, we can cover more area, cover that area more thoroughly than before and we will be able to cover it for a longer period of time.

The funding provided for the resources authorized in the bill was appropriate for the effort to be accomplished in FY-87.

Question: The Coast Guard and Customs each received 2 E-2C aircraft for drug interdiction pursuant to the 1986 drug bill. How have those planes been used to date?

Answer: The Customs Service did not have personnel onboard fully trained to operate the E-2Cs when they were received by the agency. Customs must require its personnel to be trained before certifying them to operate the E-2Cs. Customs personnel have been in an accelerated program since the aircraft were accepted February 7, 1987. They are now in an operational training mode in the southwest. The first aircraft is scheduled to be flown by a total Customs crew on May 8, 1987.

Question: If aerostat radar were netted into the SOCC at Tyndall, could Tyndall suffice as the C3I for Southeast U.S.?

Answer: Tyndall would be an excellent Air C3I location for Customs in the southeast. However, when the marine issue enters the equation it is substantially less attractive as the C3I location. All information of interest to Customs located at the SOCC will be available at the C3I Center in Richmond Heights along with the state and local participation so important to a marine interdiction effort in that area.

Question: What are some of the other assets available to the interdiction mission at Tyndall?

- Communications
- Down Link from E-2C and E-3 (AWACS)?
- OTH Radar (in future)?
- Link Eleven?
- In place security?

Answer: Communications: HF secure, UHF, VHF and STU II Radar Automatic Digital Informaiton Link (RADIL) OTH radar:

Down link from: E2, No; E3, Yes, in future.

Link Eleven: Will be available

In place security: Air Force security and additional security for high security designation of the facility.

Question: Which of these are currently available in Miami/Richamond Heights?

Answer: Communications: HF secure, UHF, VHF and STU II

Down link E2 and E3: Not currently.
OTH: unknown for future

Link Eleven: Unknown

Security: Coast Guard Security

Question: Is it necessary to have air and marine interdiction C3 at the same Centers?

Answer: The need for collocation varies geographically, and upon the modus operandi of smugglers. In the southeast, it was determined that collocation was essential because of the rapidity with which aircraft drop their contraband to waiting boats requiring extremely close coordination due to close proximity to centers of population. In the Gulf area this is not critical and we believe our needs are best served with local marine Centers in Gulf Port and Houston.

Question: Do Customs and USCG currently participate jointly in air interdiction? Please describe.

Answer: The Customs Service and the Coast Guard have a history of cooperation in both the marine and air interdiction environments.

Most recently, the Coast Guard has acquired two Navy E-2C radar aircraft for assisting Customs in the detection of airborne targets suspected of smuggling contraband. The Coast Guard has also been instrumental in the recovery of contraband evidence from the sea following air drops of air narcotics to vessels, as well as the searching and seizing of vessels that have recovered drugs following an airdrop. This includes the arresting of individuals found to be aboard vessels involved in the above.

The Coast Guard has also participated in the daylight tracking of primary targets detected by various Customs platforms. Upon installation of a sensor package on Coast Guard aircraft, their capability will extend to other than daylight hours and include the ability to both intercept and track suspect aircraft.

Question: What is the authorized range of Customs air interdiction?

Answer: As recently as April 1987, the U.S. Customs Office of the Chief Counsel prepared a legal opinion on this subject. Cited were both the laws and some precedent setting cases which establish the fact that "the courts have never questioned Customs legal authority to conduct aviation enforcement operation outside of the Customs waters." For example U.S. v. Ivey, 546F. 2d 139, 140-41, (5th Cir. 1977)" is a case in which a Customs aircraft flying a surveillance mission approximately 500 miles from the nearest United States Border, South Caicos Island, detected a target which eventually entered the United States. Two additional cases are also added in the document, a copy of which is attached.

Historically, Customs has been the federal agency with responsibility for enforcing the Customs and related laws respecting aircraft. By virtue of 49 U.S.C. 1509 and 19 U.S.C. 1644, Customs is charged with assuring that all civil aircraft arriving into the United States comply with all Customs requirements. This authority is implemented by 19 CFR Part 6, the Customs Air Commerce Regulations. Of particular importance is 19 CFR 6.10, which applies to civil aircraft, the Customs laws relating to vessels. By virtue of section 6.10, many of the Customs enforcement provisions discussed in section 2, above also apply to civil aircraft.

Customs authority to operate aircraft outside of U.S. territory or the Customs waters has not been questioned. Presidents and the Congress have continuously approved Customs acquisition of aircraft for the specific purpose of enforcing the Customs and related laws. The type of aircraft acquired and the reasons for acquisition have often been for conducting aviation operations well *beyond* the Customs waters.

Certainly the courts have never questioned Customs legal authority to conduct aviation enforcement operations outside of the Customs waters. The federal reporters contain numerous cases where Customs aircraft have engaged in such activities. For example, *United States v. Ivey*, 546 F.2d 139, 140-41, (5th Cir. 1977) (Customs aircraft flying surveillance/detection mission over South Caicos Island, about 500 miles outside the U.S.); *United States v. Bachner*, 706 F.2d 1121, 1125 (11th Cir. 1983) (Customs aircraft flying surveillance/detection mission over Bimini); *United States v. Potter*, 552 F.2d 901, 906 (9th Cir. 1977) (Customs aircraft flying surveillance mission 150 miles into Mexican airspace).

The Anti-Drug Abuse Act of 1986, P.L. 99-570, contains clear mandates for Customs to *increase* its aviation enforcement operations outside of the Customs waters. For example, a new Customs statute on aviation smuggling, 19 U.S.C. 1590, was passed. This new section is intended to control aviation smuggling by adopting many of the provisions contained in 19 U.S.C. 1586 and the Anti-Smuggling Act of 1935 (19 U.S.C. 1700, *et seq*.) which apply to vessels. The legislative history of this section specifically states that it is intended to address a relatively new phenomenon, air drops of contraband to vessels in *international* waters. Of particular interest is subsection (b) that makes it unlawful to transfer any merchandise between an aircraft and a vessel *on the high seas* or within Customs waters if the plane or boat is of United States nationality or the circumstances indicate the purpose is to introduce the merchandise contrary to law unless the transfer has been authorized by the Secretary of the Treasury.

Section 1590 provides civil and criminal penalties and civil forfeiture for violations. In addition, subsection (g) contains certain rebuttable presumptions of an intent to unlawfully transship merchandise which are applicable for the imposition of civil penalties or forfeiture. Again, of extreme significance is the fact that this subsection permits the presumptions if specified acts are "performed within *250 miles* of the territorial sea of the United States." (Emphasis added) It is clear that Congress intends Customs to take enforcement actions, including aviation operations beyond the Customs waters. For example, Customs must conduct operations beyond the Customs waters to detect whether the acts enumerated in 19 U.S.C. 1590 are being performed within 250 miles of the territorial sea.

Question: Do Customs and USCG currently participate jointly in marine interdiction? Please describe.

Answer: Customs and Coast Guard have continually worked joint operations over the years, both special operations and on a day to day basis. For example, Customs provides target information from the Bahamas and relays this information back to Coast Guard and Police interceptor vessels.

In the Florida Keys, Customs and Coast Guard personnel work together on a regular basis and information is passed to the Coast Guard concerning targets of interest to all law enforcement departments. All offices work with the Coast Guard on a day to day basis. Each office conducts operations on a regular basis with good participation with local Coast Guard units.

In the Caribbean, the Coast Guard was asked to participate in Operation SEAMASTER in September/October of 1986. They were unable to assist. A second operation is being planned and the Coast Guard has again been asked to participate. Limited joint efforts are the case in the Caribbean in that the Coast Guard declines participation 75% of the time when marine assistance is requested for joint efforts.

All other areas the Customs stations work with the Coast Guard and local agencies on a regular basis. Whenever a case develops, all agencies work together and provide whatever possible. Intelligence is passed from Customs to appropriate Coast Guard personnel for action.

Customs participates on a daily basis units the USCG, through NNBIS, BLOCC and the Regional Intelligence Branches.

In the Pacific Region, Operation TIBURON in which the USCG and Navy participated. The Commander of the Eleventh Coast Guard District and the Customs Assistant Regional Commissioner (Enforcement) have begun discussions on establishing a joint marine center in the Los Angeles/San Diego area.

In New York and the Northeast Region, through the National Narcotics Border Interdiction System, USCG, U.S. Customs, and the DEA have set up a Controlled Delivery (CODE) Operation. CODE sets out the intra-office procedures, and overall coordination among the participants. This Standard Operating Procedure clearly outlines the duties, roles, and responsibilities of each participant agency and is used in maritime seizures and the subsequent attempted controlled delivery of contraband.

Question: I understand that customs wants to locate the C3I center at Miami to include the marine interdiction C3 center. Who made that decision? Whose recommendation was the decision based on?

Answer: The Commissioner of Customs made the decision to collocate the MLOC and Air C3 in the C3I center. Senior management officials within Customs recommended the merger.

Question: In his exit memorandum, Frank Ault suggested that no decision be made to collocate the marine and air interdiction C3I without first conducting an "objective evaluation of the Miami JMOCC/MLOC." Was a formal study done before that decision was made to collocate the two functions at Miami? If so, please describe the results, and provide a copy to the Subcommittee.

Answer: It is the position of Customs that the benefits of command and control elements in an operational management situation are very clear. The C3I allows limited resources a greater opportunity to be at the right place, at the right time to increase the probability of an interdiction. Many such decisions are made without a formal, time consuming, and often costly study.

Question: What is the justification for selecting Oklahoma City as the site for the NCC?

Answer: The most important point is that an NCC function be established. The location can be in many locations without impacting on results. Tinker AFB, Oklahoma City, was selected because it affords the NCC detection specialist an opportunity to work both at the consoles as well as be available to fly on E-3 AWACS flights of interest to Customs. Oklahoma City is also the location of the FAA training Center which Customs will take advantage of to continue to standardize all C3I system detection specialists.

Question: Doesn't Customs already have access to the FAA records, held in Oklahoma City through EPIC?

Answer: Yes, but information from EPIC is approximately one (1) month behind information available from FAA in Oklahoma City.

Question: [illegible]

Answer: [illegible]

[illegible]

Question: Construction will soon begin to build a similar BLOC center for Gulfport, MS to house 5 condo radars at approximately $70,000 each plus towers for some. What will be the approximate cost of the Gulfport building? Please provide the subcommittee with contractual material concerning this location.

Answer: The cost of Phase One, of the temporary building, will be approximately $200,000. Phase Two of the Gulfport BLOC will require additional radars and approximately $300,000 to expand and convert the BLOC building from temporary to permanent. These costs only reflect the building and radar.

Contractually, we have an agreement with the City of Gulfport, Mississippi for land used and have issued a solicitation for bids for the temporary facility. GSA has been asked for their input into the most expeditious approach to a permanent center.

Question: You recently dedicated a new center at Houston. Time magazine quoted you as saying that the center would "anchor a radar picket line along the 2,000-mile border with Mexico." This appears to be a reference to aerostat radars which I understood were to be down linked to March AFB. Were you misquoted, or am I incorrect in my understanding?

Answer: We have no plans to down-link the planned tethered aertostat radars to the Tactical Operations Center in Houston. They will be linked through our C^3I system. The land-base sea search radars are linked to the Tactical Operations Center.

Question: What was the cost of the Houston building, and what will be the cost of the condo radars?

Answer: The Houston Tactical Operations Center is located on the 6th floor of the U.S. Customs Regional Headquarters building in Houston, Texas. The cost to date of modifications to the building is $1,000,360 which includes a projected Sensitive Compartmental Information Facility.

We estimate 7 radars will be needed in this area, for a total maximum cost of approximately $1,260,000.

Question: Customs commenced to let contracts for air interdiction C3Is following studies by the Silex committee and Mitre Corp. Was there a similar study conducted to determine if the Miami BLOC should be built?

Answer: There was not a formal study commissioned on the construction of the BLOC because of the immediate need to centralize communication, command and operational control of the Blue Lightning Strike Force resources. Customs felt there was clearly a need for the BLOC and the value of an operations center has been proven its first year of operation.

Question: Was there a study supporting the Houston or Gulfport projects?

Answer: The Gulfport BLOC is the direct result of an analysis of past cases, marine threat analyses, and a determined effort to overcome geographical interdiction problems with an effective tactical marine program.

The success observed at the Miami BLOC, attributable to the centralization of marine command and control of diversified assets, lent itself readily to the tactical concepts forwarded to Customs Service Headquarters by regional management.

Prior to the selection of the Gulfport site, a number of potential locations, including military facilities, were informally surveyed. The advise of participating agencies was also sought.

A review of the marine threat posed by the vast expanse of water encompassing the Southwest Region was conducted by the Intelligence Branches and indicated the threat level justified the placement of marine radar points along the coast line of the Southwest Regional area of responsibility and the establishment of a central command point for coordination purposes.

Due to the establishment of Operation Alliance which is comprised of law enforcement agencies of state, local and federal levels throughout the four state area of the Southwest Region it was decided that the Tactical Operations Center would serve as the focal point of not only the marine discipline but for all enforcement activities within the Region.

The marine, air, and border smuggling programs of the Southwest Region will be a functional part of the centers and administered from that point, as well as a central communications point for all the participating agencies and a coordination point for all steering committee functions.

Question: How is the P3 aircraft currently being used by Customs?

Answer: As a long range detection platform.

Question: Has the F-15 radar proved to be sufficient for your surveillance and/or detection needs?

Answer: It is better than that previously available, however does not meet our preferred detection needs.

Question: Do you consider the E-2C with the APS 138 radar to be a better aircraft than the P3 aircraft with F-15 radar?

Answer: Yes.

Question: The Subcommittee has been told that Customs needs P3 aircraft with 360' radar because that aircraft has 10-12 hours' endurance as opposed to the 5-hour endurance of the E-2C. A recent GAO study reports that the Customs Service is flying the P3A on an average of 5 hours per flight. Why then will the E-2C, at no cost to Customs, not suffice for the detection mission?

Answer: The Customs mission requirement has always been for 10-12 hour endurance. Unfortunately, sufficient personnel necessary to meet the mission requirement were not available until the Drug Authorization Act of 1986. Customs has increased it's air program authorization level from 285 personnel to 765.

Question: Are you satisfied with the cooperation you have received in your interdiction efforts from:

- DEA ?
- FBI?
- Department of Defense?

Answer: The Customs Service has had good cooperation and support at the field level from the DEA, FBI and the DOD in drug interdiction activity. When requested, these organizations have provided information, equipment and manpower on a routine basis.

Question: The Washington Post, on August 24-26, 1986, ran a series of articles by Haynes Johnson on the Customs Service. These articles cite a spokesman for the House Energy and Commerce Subcommittee as saying that they discovered that the Customs Service inspects less than .5 percent of containerized shipments. Those articles also cite a recent GAO report which found that the Customs Service has the resources to inspect only two percent of shipments entering the U.S. How do you reconcile these figures in light of your testimony at the recent hearings that three percent of all containerized shipments are totally stripped down, and that 20 percent of the remainder of the containers are otherwise inspected.

Answer : The U.S. Customs Service processed approximately 7.8 million containers entering the United States in F.Y. 1986; 3,377,098 vessel containers, 4,422,838 land border trucks. Of this, 163,428 containers (2.10 percent) were completely devanned by Customs for enforcement purposes. Out of the 2,512,125 containers processed at the vessel port of arrival, 74,272 (2.96 percent) were totally devanned at the port of arrival.

Cargo entering the United States is processed through Customs using entry documentation. In 100 percent of the cases the documentation is scrutinized to determine if the shipment presents a risk. Utilizing proven screening techniques, as part of the Automated Commercial System (ACS) Cargo Selectivity Module, 80 percent of entered cargo is determined to be low risk, and is released. The remaining 20 percent of imported cargo is physically examined by Customs.

Question: Please provide for the Subcommittee a complete breakdown of all inspections of all cargo entering the United States for the last five years.

Answer : The U.S. Customs enforces over 400 laws for 40 various agencies. Customs examinations are performed for a variety of reasons, to a variety of different extents. It would not be feasible to provide a breakdown of all inspections for the past five years, since we record our efforts by workload indicators such as number of vessel arrivals; number of containers, trucks, and cars processed; number of formal and informal entries processed; and revenue collected. These records are not maintained by the type or extent of inspections.

DEPARTMENT OF TRANSPORTATION
U. S. COAST GUARD
STATEMENT OF ADMIRAL PAUL A. YOST, JR.
ON THE DRUG INTERDICTION C3I SYSTEM
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS OF THE
COMMITTEE ON GOVERNMENTAL AFFAIRS
18 MARCH 1987

GOOD MORNING, MR. CHAIRMAN. I AM PLEASED TO HAVE THIS OPPORTUNITY TO MEET WITH YOU AND THE OTHER DISTINGUISHED MEMBERS OF THIS SUBCOMMITTEE TO PROVIDE THE COAST GUARD'S POINT OF VIEW CONCERNING DEVELOPMENT OF A COMMAND, CONTROL, COMMUNICATIONS AND INTELLIGENCE (C3I) SYSTEM FOR DRUG INTERDICTION.

ACCOMPANYING ME TODAY ARE MY CHIEF OF THE OFFICE OF OPERATIONS, REAR ADMIRAL CLYDE E. ROBBINS, AND CAPTAIN KENT H. WILLIAMS, CHIEF OF THE PROGRAMS DIVISION.

INTERDICTING DRUGS - BOTH A SURFACE AND AIR PROBLEM

BEFORE I ADDRESS C3I, I WOULD LIKE TO GIVE YOU MY PERSPECTIVE ON THE DRUG INTERDICTION PROBLEM. MOST MARITIME DRUG TRAFFIC DESTINED FOR THE UNITED STATES DEPARTS FROM CENTRAL AND SOUTH AMERICAN AND CARIBBEAN STAGING AREAS. ON THE PACIFIC COAST, WE ALSO FIND NARCOTICS BEING BROUGHT IN FROM SOUTHEAST ASIA. UNTIL RECENTLY, THE COAST GUARD CONCENTRATED PRIMARILY ON INTERDICTING TRAFFICKERS ON THE HIGH SEAS. OUR ANALYSIS SHOWED THE INTERDICTION OF "MOTHERSHIPS", WHICH DELIVER CONTRABAND TO SMALLER, FASTER CONTACT BOATS WELL OFF OUR COAST, HAD THE GREATEST POTENTIAL FOR DISRUPTING THE MARITIME FLOW OF DRUGS.

STARTING IN THE FALL OF 1984 WITH OPERATION WAGONWHEEL, THE COAST GUARD'S PORTION OF HAT TRICK, INTERDICTION ACTIVITIES WERE TAKEN RIGHT TO THE DOORSTEP OF THE PRIMARY SOURCE COUNTRIES OF SOUTH AMERICA. OPERATION HAT TRICK WAS THE FIRST OF SEVERAL MULTI-AGENCY, INTERNATIONAL OPERATIONS EMPLOYING MAXIMUM RESOURCES AND FLEXIBILITY TO COMPLEMENT THE ANTI-DRUG OPERATIONS BEING CARRIED OUT BY FOREIGN FORCES IN-COUNTRY ASHORE AND AFLOAT. THESE OPERATIONS HAVE BEEN AN EXTREMELY EFFECTIVE ADJUNCT TO OUR INTERDICTION PROGRAM CLOSER TO OUR SHORES.

AS WE INCREASED MARITIME LAW ENFORCEMENT PRESSURE, WE OBSERVED A SHIFT IN MODES AND METHODS OF TRANSPORTING DRUGS. INCREASES IN AIRDROP ACTIVITY TO BOATS OFF OUR COASTS, THE USE OF HIDDEN COMPARTMENTS (COMPARTMENTS INCORPORATED INTO THE DESIGN OF A SHIP FOR THE EXPRESS PURPOSE OF HIDING CONTRABAND), SEVERAL ATTEMPTS TO USE TUGS TOWING BARGES WITH MASSIVE LOADS OF MARIJUANA, AND ATTEMPTS BY SMUGGLERS TO CIRCUMNAVIGATE OUR INTERDICTION RESOURCES THROUGH COUNTER-INTELLIGENCE AND THE USE OF THEIR OWN SURVEILLANCE AIRCRAFT HAVE ALL OCCURRED IN RECENT YEARS.

WE BELIEVE OUR EFFORTS ARE FORCING TRAFFICKERS TO FIND MORE DIFFICULT AND EXPENSIVE ALTERNATIVES TO CONTINUE THEIR ILLICIT TRADE. IN ADDITION TO MARIJUANA, WE ARE NOW SEIZING LARGE QUANTITIES OF COCAINE AND SOME OTHER DRUGS INDICATING A DISTINCT SHIFT IN TRAFFICKING TRENDS. PREVIOUSLY, WE RARELY SEIZED THESE HIGHER VALUE, LOW VOLUME DRUGS BECAUSE THE SMALL QUANTITIES COULD BE EASILY DISPOSED "OVER THE SIDE" PRIOR TO OUR BOARDING. IN 1986, WE SEIZED OVER 10,300 POUNDS OF COCAINE, UP FROM 6,500 POUNDS SEIZED IN 1985 AND 1,967 IN 1984, AND WELL ABOVE THE HIGH OF 46 POUNDS IN PREVIOUS YEARS.

FEDERAL EFFORTS AGAINST DRUG TRAFFICKING CANNOT SUCCEED WITHOUT PRESSURING ALL MODES OF TRANSPORTATION. I WAS COMMANDER OF THE COAST GUARD'S ATLANTIC AREA DURING THE EARLY SPECIAL OPERATIONS, SUCH AS HAT TRICK, AND IT QUICKLY BECAME APPARENT THAT WHEN SURFACE SHIPMENTS WERE REDUCED TO A TRICKLE BY THOSE OPERATIONS, AIR TRAFFICKING INCREASED. COCAINE AND OTHER NARCOTICS ARE FLOWN OVER THE MARITIME REGION, SOMETIMES DIRECTLY INTO THE UNITED STATES, AND AT OTHER TIMES AIRDROPPED TO WAITING BOATS, OR FLOWN TO THE CARIBBEAN ISLANDS AND LOADED ON BOATS FOR THE FINAL DASH INTO THE UNITED STATES HAS GROWN INTO A MAJOR PROBLEM. WE WERE LOSING THE AIR WAR!

ANTI-DRUG ABUSE ACT OF 1986

THE ANTI-DRUG ABUSE ACT OF 1986 PROVIDED FUNDS TO THE COAST GUARD FOR A MODEST START IN AIR INTERDICTION. ALSO, THE NDEPB ASSIGNED AN AIR INTERDICTION RESPONSIBILITY TO THE COAST GUARD IN THE SOUTHEAST. WE COMMENCED OPERATING OUR TWO E-2C AIRBORNE EARLY WARNING PLANES LAST MONTH. OUR HU-25 AIRCRAFT ARE NOW FLYING DAY, VISUAL FLIGHT RULE (VFR) INTERCEPTS. WE PLAN TO CONVERT EIGHT OF THESE JET AIRCRAFT TO DAY/NIGHT INTERCEPTORS WITH AIR-TO-AIR RADAR AND NIGHT VISION SENSORS. IN OUR FIRST REAL AIR INTERDICTION EFFORT, WE ASSISTED IN SEIZING 528 POUNDS OF COCAINE, ONE AIRCRAFT, AND ARRESTING 6 SMUGGLERS.

IMPORTANCE OF INTEGRATED C3I

OUR SUSTAINED MARITIME AND INITIAL AIR INTERDICTION OPERATIONS CONTINUE TO IMPRESS UPON ME THE CRITICAL IMPORTANCE OF INTEGRATED COMMAND, CONTROL, COMMUNICATIONS AND INTELLIGENCE OR C3I. I KNOW FROM EXPERIENCE AS COMMANDER OF A MULTI-SERVICE FORCE IN VIETNAM, THE C3I CAPABILITY OF ALL AGENCIES INVOLVED MUST BE INTEROPERABLE AND INTEGRATED FOR US TO BE EFFECTIVE IN AIR INTERDICTION OF DRUGS. TO A LARGE EXTENT, WITH BETTER INTELLIGENCE AND SIGNIFICANT DEPARTMENT OF DEFENSE CONTRIBUTION, WE ARE ACHIEVING THIS INTEROPERABILITY ON THE MARITIME SURFACE SIDE.

COAST GUARD AND DRUG INTERDICTION C3I

THE COAST GUARD'S C3I SYSTEM HAS PROVEN CAPABILITY IN SURFACE MARITIME DRUG INTERDICTION AND MILITARY PREPAREDNESS. WE ALSO RELY ON THIS SYSTEM TO SUPPORT COAST GUARD MISSIONS SUCH AS SURFACE AND AIR SEARCH AND RESCUE AND ENVIRONMENTAL PROTECTION AS WELL AS OTHER FEDERAL AGENCY PROGRAMS IN THE MARITIME ENVIRONMENT. IT HAS BEEN DESIGNED WITH CAPACITY AND FLEXIBILITY TO SERVE COMMANDERS AT ALL LEVELS WITHIN THE COAST GUARD. EACH OF MY AREA AND DISTRICT COMMANDERS HAS THE COMMAND AND CONTROL, TELECOMMUNICATIONS, AND INTELLIGENCE CAPABILITY TO SUPPORT OPERATIONS THROUGHOUT HIS AREA OF RESPONSIBILITY. OUR C3I SYSTEMS ARE DESIGNED FOR INTEROPERABILITY WITH THE U.S. NAVY AND OTHER DOD FORCES, PARTICULARLY THOSE EMPLOYED IN THE MARITIME DEFENSE ZONE (MDZ).

C3I CENTER DEVELOPMENT

SINCE LAST NOVEMBER, WE HAVE PARTICIPATED IN DEVELOPING THE AIR C3I SYSTEM THROUGH THE C3I WORKING GROUP. I BELIEVE WE HAVE MADE GOOD PROGRESS IN MANY AREAS, SUCH AS COMMUNICATIONS INTEROPERABILITY REQUIREMENTS, INTELLIGENCE ANALYSIS FUNCTIONS, AND INTERFACE TO PRINCIPAL LAW ENFORCEMENT DATA BASES AT THE EL PASO INTELLIGENCE CENTER (EPIC). EARLY THIS WEEK WE REACHED AN INTER-AGENCY AGREEMENT ON HOW THE JOINT COMMAND CONCEPT WILL BE FORMALIZED IN THE SOUTHEAST. THE ELEMENTS OF THAT AGREEMENT ARE:

A. CUSTOMS WILL COMMAND THE SOUTHEAST C3I CENTER UNTIL 30 JUNE 1989 WITH TWO YEAR ROTATION THEREAFTER. DEPUTY WILL BE OTHER AGENCY BETWEEN CUSTOMS AND USCG.

B. THE C3I CENTER WILL HAVE OPERATIONAL CONTROL OF ALL ASSETS CHOPPED TO THE CENTER, INCLUDING OTHER FEDERAL, STATE, AND LOCAL ASSETS.

C. ALL C3I CENTER OPERATIONAL STAFF WILL BE PROVIDED ON A 50-50 BASIS. SENIOR OPERATIONAL POSITIONS ARE TO BE EVENLY SPLIT BETWEEN CUSTOMS AND COAST GUARD.

D. SURFACE OPERATIONS COMMAND CENTERS WILL REMAIN UNDER AGENCY CONTROL. AGENCY SURFACE INTERDICTION OPERATIONS WILL BE COORDINATED WITH THE C3I CENTER. FOR SPECIFIC OPERATIONS, SURFACE UNITS MAY BE CHOPPED TO THE C3I CENTER.

E. EACH AGENCY AGREES TO DEVOTE SIGNIFICANT AIR AND SURFACE ASSETS TO BE COMMANDED FROM THE C3I CENTER.

JOINT COMMAND, CONTROL, COMMUNICATIONS AND INTELLIGENCE

I HAVE EXPRESSED MY CONCERN ABOUT DIVISION OF AUTHORITY FOR DRUG INTERDICTION AND ENFORCEMENT AND ABOUT UNNECESSARY DUPLICATION OF C3I FACILITIES. ON DECEMBER 9, 1986, AN AD HOC SUB-COMMITTEE UNDER THE COORDINATING GROUP OF THE NDPB RECOMMENDED THE COAST GUARD BE GIVEN PRIMARY DETECTION RESPONSIBILITY FOR AIR INTERDICTION IN THE SOUTHEAST. WE WERE ALSO GIVEN JOINT RESPONSIBILITY WITH CUSTOMS FOR INTERCEPTION AND TRACKING AND A SECONDARY ROLE FOR APPREHENSION. ADDITIONALLY, THIS GROUP RECOMMENDED JOINT COMMAND, CONTROL, AND OPERATION OF THE SOUTHEAST REGION C3I CENTER TO BE OWNED AND ADMINISTERED BY CUSTOMS. THE POLICY BOARD SUBSEQUENTLY ADOPTED THESE RECOMMENDATIONS.

MARITIME DEFENSE ZONE C3I

MR. CHAIRMAN, YOUR LETTER OF FEBRUARY 6 ASKED HOW THE CUSTOMS C3I PROGRAM WOULD BEST BE INTEGRATED INTO OUR EXISTING OR PLANNED C3I CAPABILITY UNDER THE MARITIME DEFENSE ZONES. AS CURRENTLY PLANNED, THE MDZ C3I ARCHITECTURE WILL UPGRADE SELECTED COAST GUARD AND NAVY COMMANDS WITH MORE RELIABLE SECURE COMMUNICATIONS AND COMPUTER SUPPORT, BUT NOT WITH THE REAL-TIME SENSOR INFORMATION TO CONDUCT TACTICAL AIR INTERDICTION. SINCE MDZ COMMANDERS DO HAVE A NEED TO COORDINATE AIR ACTIONS IN THE COASTAL ZONE FOR FORCE PROTECTION AND DEFENSE OF PORTS AND OFF-SHORE STRUCTURES, THE JOINT C3I CENTERS WILL BE OF SIGNIFICANT BENEFIT TO OUR MARITIME DEFENSE ZONE RESPONSIBILITIES.

OUR PARTICIPATION IN THE C3I PROGRAM HAS FOCUSED ATTENTION ON INTEGRATION AND INTEROPERABILITY WITH OTHER DEFENSE SYSTEMS AND I THINK WE ARE BEING FAIRLY SUCCESSFUL IN MAKING THAT POINT. THE C3I CENTER CONTRACT DESIGN TEAMS HAVE HEARD OUR REQUIREMENTS AND I AM HOPEFUL THEIR PROPOSALS WILL REFLECT CAPABILITIES WE NEED TO DO OUR PART OF DRUG INTERDICTION. WE ARE ALSO PROCEEDING AS QUICKLY AS POSSIBLE TO ACQUIRE ADDITIONAL RADIO COMMUNICATIONS AND SECURITY SYSTEMS TO BE MORE INTEROPERABLE WITH DOD, CUSTOMS, AND STATE AND LOCAL LAW ENFORCEMENT AGENCIES.

SUMMARY

IN SUMMARY, WITH OVER 2,000 CUTTERS AND BOATS, 200 AIRCRAFT, AND 45,000 PEOPLE, THE COAST GUARD IS THE LARGEST LAW ENFORCEMENT AGENCY INVOLVED IN DRUG LAW ENFORCEMENT. A JOINT COMMAND STRUCTURE BETWEEN CUSTOMS AND COAST GUARD IN THE SOUTHEAST C3I CENTER FOR AIR HAS NOW BEEN AGREED TO. THIS COMPROMISE WILL THAT AIR INTERDICTION ASSETS ARE MORE EFFECTIVELY UTILIZED.

THIS CONCLUDES MY PREPARED TESTIMONY, MR CHAIRMAN. I WILL BE HAPPY TO ANSWER ANY QUESTIONS YOU OR THE MEMBERS OF THE COMMITTEE MAY HAVE.

ADDITIONAL QUESTIONS/ANSWERS FOR HEARING RECORD

Admiral Paul A. Yost, Jr., Commandant
U. S. Coast Guard

QUESTION. THE OTA STUDY RELEASED AT THE HEARING FINDS THAT DESPITE A DOUBLING OF FEDERAL EXPENDITURES ON INTERDICTION IN THE LAST FIVE YEARS, THE QUANTITY OF DRUGS BEING SMUGGLED INTO THE UNITED STATES IS GREATER THAN EVER. OTA FINDS THAT OUR INTERDICTION EFFORT IS SUCCEEDING IN STOPPING ONLY A VERY SMALL PERCENTAGE OF THE ILLEGAL DRUG SMUGGLING. WOULD YOU COMMENT ON THOSE FINDINGS AND WHAT THEY IMPLY ABOUT FUTURE INTERDICTION EFFORTS?

Answer. There is a wide range in the estimates of the quantity of drugs that are being smuggled into the United States. The figures that were used in the OTA study showed the Coast Guard interdicting 10 to 15 percent, yet Department of State (International Narcotic Matters) figures indicate the Coast Guard is interdicting as much as 40 percent of the marijuana being smuggled into the United States by sea.

In regard to more drugs being brought into the U.S. despite increased expenditures for interdiction, that is certainly true for cocaine. The study failed to recognize however that cocaine, being easier to smuggle by air, has not had the attention given to it that we in the Coast Guard have given to marijuana. In the FY 86 budget funding was provided for improved air interdiction. These assets are now beginning to come online. In addition, the Coast Guard plans to dedicate 8 Falcon aircraft to interception of drug traffickers and 6 helicopters to apprehension of traffickers in the Bahamas. These facilities will not be fully equipped or available for about 2 years.

QUESTION. ACCORDING TO COMMISSIONER VON RAAB'S STATEMENT, CUSTOMS BEGAN DEVELOPING THE C-3I CONCEPT IN 1984. WHEN DID CUSTOMS BEGIN EFFORTS TO COORDINATE THE DEVELOPMENT OF C-3I WITH THE COAST GUARD?

Answer. On November 3, 1986, Commissioner Von Raab invited us to name a representative to coordinate the establishment of C3I centers. We were given a C3I program briefing by Customs on November 5th. A C3I working group was established with representatives from the Coast Guard, Customs Service, Justice, Defense and NNBIS. The group first met on November 10th.

QUESTION. ACCORDING TO GAO TESTIMONY AND DOCUMENTS PROVIDED BY GAO, CUSTOMS DECIDED IN NOVEMBER 1985 THAT THE C3I PROGRAM SHOULD INCLUDE BOTH AIR AND MARINE INTERDICTION ACTIVITIES. IN LIGHT OF THAT FACT, SHOULDN'T CUSTOMS HAVE BEGUN COORDINATION WITH COAST GUARD ON DEVELOPMENT PLANS AT THAT POINT?

Answer. While it might have been helpful for the Coast Guard to have been included earlier, we are now fully involved in the program.

QUESTION. DOES CUSTOMS USUALLY CONSULT WITH THE COAST GUARD PRIOR TO INITIATING OPERATIONS IN THE MARITIME AREA? SHOULD THEY?

Answer. Customs and Coast Guard coordinate major drug enforcement efforts at all levels of our respective organizations. Coordinating of daily patrol schedules has not been done as well as it could have been in the past. We are committed to stronger consultation.

QUESTION. WHAT ROLE HAS THE DRUG POLICY BOARD PLAYED IN THE DEVELOPMENT OF THE C3I PROGRAM BEFORE AND AFTER PASSAGE OF THE DRUG ACT?

Answer. Before passage of the Anti-Drug Abuse Act of 1986, the Policy Board had directed preparation of "An Air Interdiction Plan for the Southeastern United States". However, this study was overtaken by enactment of the statute. After enactment, the Policy Board, upon review of the study's recommendations, asked the Customs Service and the Coast Guard to collocate the C3I Center in the Southeast and tasked the Drug Enforcement Coordinating Group to monitor establishment of the C3I Centers. The Customs Service and Coast Guard have agreed to collocate the center at Richmond Heights, Florida, and have also agreed upon the joint command relationship, staffing and responsibilities of the Center. An interagency working group has also met regularly and reported their deliberations to the Coordinating Group.

QUESTION. UNDER THE DRUG POLICY BOARD'S CHARTER THEY ARE REQUIRED TO "REVIEW, EVALUATE, AND DEVELOP UNITED STATES GOVERNMENT POLICY, STRATEGY, AND RESOURCES WITH RESPECT TO ILLEGAL DRUG ENFORCEMENT." GIVEN THAT CHARTER, SHOULDN'T THEY HAVE BEEN INVOLVED IN THE DEVELOPMENT OF C3I WITH OR WITHOUT A SPECIFIC CONGRESSIONAL DIRECTIVE TO DO SO?

Answer. The NDEPB was involved in formulating national policy through its preparation of air interdiction plans for the Southeastern and Southwestern Border. It has exercised its broad policy responsibility by continuing to monitor the coordinated establishment of the C3I Center.

QUESTION. OTA'S TESTIMONY IDENTIFIED WHAT IT CALLED "SHORTCOMINGS" OF THE CURRENT C-3I CENTERS FOR CUSTOMS AND COAST GUARD AS FOLLOWS:

- THREE SEPARATE C-3I FACILITIES - COAST GUARD, CUSTOMS AIR, AND CUSTOMS MARINE - OPERATING INDEPENDENT OF EACH OTHER;
- LITTLE COMMONALITY IN TECHNOLOGY AMONG THESE THREE KINDS OF C-3I FACILITIES - GIVING RISE TO "FUNDAMENTAL INCOMPATIBILITY THAT PRECLUDES COOPERATION AND COORDINATION";
- LACK OF COMMON EQUIPMENT WHICH IS PARTICULARLY ACUTE IN THE VOICE RADIO AREA;
- LACK OF STANDARDIZATION OF RADIO EQUIPMENT AND THE ESTABLISHMENT OF COMMON OPERATING FREQUENCIES-- I.E., THE CUSTOMS BLUE LIGHTNING CENTER IN MIAMI CANNOT COMMUNICATE DIRECTLY WITH COAST GUARD VESSELS IN THE SAME AREA; AND
- THE LACK OF ESTABLISHED PROCEDURAL AGREEMENTS AND PROTOCOLS AMONG COAST GUARD, CUSTOMS AND DEA THAT WOULD ALLOW TACTICAL COOPERATION ON A SPECIFIC AND AD HOC BASIS.

WILL THESE PROBLEMS BE ADDRESSED AND SOLVED BY THE PROPOSED C-3I SYSTEM?

Answer. Interoperability with Customs, Coast Guard, DEA, DOD and other agencies is being designed into the C3I system. The C3I working group is now addressing procedural agreements and protocols to allow tactical cooperation. The Southeast NNBIS working group has also identified areas where mutual agreements and procedures should be developed to foster tactical cooperation.

QUESTION. THE FY87 DOD AUTHORIZATION BILL REQUIRES THE PRESIDENT BY MAY 13 TO DESIGNATE LEAD AGENCIES FOR (1) MARINE AND AIR DRUG INTERDICTION BEYOND U.S. BORDERS; (2) DOMESTIC AND BORDER DRUG INTERDICTION EFFORTS; AND (3) DOMESTIC AND FOREIGN DRUG LAW ENFORCEMENT. IN YOUR OPINION, WHO SHOULD THE LEAD AGENCIES BE AND WHY?

Answer. The Coast Guard endorses an "Area of Responsibility" (AOR) concept and uses it successfully within our own organization in other mission areas. In the recent agreement with USCS forwarded jointly to the NDPB, I believe we found a solid basis for future drug enforcement cooperation. That agreement specifies USCS the lead agency on land, at and between ports of entry; it specifies USCG as the lead agency for the maritime area from shoreline seaward and acknowledges that air interdiction is a unique function properly tasked by both the land and maritime lead agencies and coordinated jointly by USCG/USCS. I understand the overseas activity is to be coordinated by DOS.

QUESTION. DO YOU BELIEVE IT IS WISE TO PROCEED WITH PLANS FOR THE DEVELOPMENT AND CONSTRUCTION OF THESE C-3I CENTERS PRIOR TO THE MAY DECISION ON DESIGNATION OF LEAD AGENCIES? SHOULDN'T A COMMITMENT TO THAT TYPE OF PROGRAM AWAIT THE PRESIDENT'S INTERDICTION PLAN?

Answer. Yes, a C3I system is needed now to support air interdiction in the maritime, overseas (Bahamas), and land areas. The functions and design of the centers will be the same irrespective of which agency(ies) have delegated "lead agency" responsibility. Commissioner von Raab and Admiral Yost signed a Memorandum of Understanding on May 11, 1987 to promote a cooperative effort to interdict drugs and to resolve differences related to the designation of lead agencies in various facets of interdiction. Customs and Coast Guard will share joint responsibility since air interdiction is an element of both marine and land interdiction. There will be plenty of time to fine tune the system before it is complete.

QUESTION. WE'VE BEEN TOLD THAT A NATIONAL COMMAND CENTER IS NEEDED TO SANITIZE INTELLIGENCE RECEIVED FROM OTHER INTELLIGENCE SOURCES SUCH AS THE DEPARTMENT OF DEFENSE. AREN'T THOSE SAME DATA NOW BEING SUPPLIED TO THE COAST GUARD AND CUSTOMS AFTER BEING SANITIZED BY THE NATIONAL NARCOTICS BORDER INTERDICTION SYSTEM (NNBIS)? ISN'T NNBIS ALSO REPRESENTED AT EPIC?

Answer. The Coast Guard receives intelligence directly from the National Intelligence Community (NIC), as does NNBIS. The intelligence is sanitized either by the NIC or by the Coast Guard in accordance with established procedures.

There is now a NNBIS Special Intelligence Unit at EPIC to support Operation Alliance, the current Southwest Border initiative, but NNBIS is not a formal member agency of EPIC and does not normally have personnel assigned there.

QUESTION. AS I UNDERSTAND IT, WITH THE CREATION OF THE CUSTOMS C3I, WE WILL HAVE AT LEAST FOUR NATIONAL INTELLIGENCE CENTERS FOR USE IN THE DRUG WAR: EPIC, WHICH IS BEING EXPANDED; CUSTOMS C3I; NNBIS; AND THE PROPOSED ALL SOURCE INTELLIGENCE CENTER (ASIC). WHY DO WE NEED ALL FOUR OF THESE?

Answer. The C3I Centers are not intended nor will they be staffed to produce any significant intelligence products of an analytical nature. Their purpose is to take finished intelligence products from other resources such as the National Intelligence Community and the law enforcement agencies (EPIC & NNBIS) and apply that intelligence to the fast moving tactical air interdiction situation, as it develops. Intelligence will in fact be a limited part of the information available to the watch personnel in the C3I centers as they exercise command and control over operational assets, deploying them for interdiction purposes against targets smuggling narcotics.

QUESTION. WHAT INTELLIGENCE WILL CUSTOMS C3I HAVE THAT IS NOT ALREADY AVAILABLE THROUGH THE OTHERS?

Answer. The C3I Centers are not really intelligence centers for analytical work, but instead operational centers receiving radar information and having the capability to present a comprehensive picture for air interdiction. This is not available at the other facilities. The C3I centers will receive finished intelligence products from others (Coast Guard, Customs, EPIC and NNBIS) and will tactically apply those products to the air interdiction problem as indicated by the current situation and direct appropriate response using available resources.

QUESTION. IF THERE ARE DELAYS OR PROBLEMS IN THE OTHER INTELLIGENCE CENTERS, WHY NOT MERELY FIX THOSE PROBLEMS RATHER THAN START OVER AGAIN WITH A NEW CENTER?

Answer. The C3I centers are end users of intelligence. As such, intelligence personnel at C3I Centers apply data and develop operational and tactical intelligence from real-time radar sensors and observations of local conditions and practices. C3I Centers would use intelligence from and feed appropriate intelligence to EPIC.

QUESTION. AS YOU UNDERSTAND IT, WHAT WILL BE THE FUNCTION OF THE NEW ALL SOURCE INTELLIGENCE CENTER (ASIC)? IS IT NEEDED FOR DRUG INTERDICTION PURPOSES?

Answer. The concept of an All Source Intelligence Center (ASIC) was raised by DOD about fifteen months ago as they became more involved in narcotics interdiction. DOD saw a need for intelligence to support their forces in this new arena. As first envisioned, the ASIC was to be an intelligence center geared to tactical interdiction. EPIC is currently making minor enhancements to its capabilities to better serve this function.

The FBI has proposed that the ASIC actually be located in the Washington DC area and concentrate its efforts in the analytical area for assistance to investigations and the production of strategic intelligence. This matter is still a lively topic of discussion before the National Drug Policy Board. The Coast Guard will, of course, be an active participant in these deliberations and continue in our policy of freely sharing all the intelligence information available to us.

QUESTION. REGARDING THE RECENT AGREEMENT OF JOINT CUSTOMS/COAST GUARD COMMAND OF THE SOUTHEAST C-3I CENTER, IS IT TRUE THAT THIS SAME ROTATIONAL PROPOSAL WAS SUGGESTED BY THE COAST GUARD IN DECEMBER 1986, BUT DECLINED BY CUSTOMS? IF SO, WHAT HAS CAUSED CUSTOMS TO CHANGE ITS VIEW ON THIS?

Answer. Yes, we first proposed this approach in December 1986. As we explored related questions concerning such topics as location, organization, staffing and concept of operations for the Southeast C3I Center, Customs, in cooperation with the Coast Guard agreed to the rotation proposal as an equitable way to share joint responsibility for air interdiction over land and maritime areas.

QUESTION. THE AGREEMENT SPEAKS, AS I READ IT, ONLY TO JOINT COMMAND OF THE SOUTHEAST C3I CENTER. DOES IT COVER ANY OF THE FOLLOWING ISSUES:

- DESIGN ISSUES, SUCH AS THE QUESTION OF WHETHER C3I SHOULD BE AT TYNDALL OR MIAMI
- QUESTIONS ON THE LOCATION OF THE C3I SITE AT MARCH AFB
- THE NEED FOR THE NATIONAL COMMAND CENTER
- THE QUESTION OF LEAD AGENCY RESPONSIBILITY

IF NOT, IS THERE STILL DISAGREEMENT ON THESE ISSUES?

Answer. The March 16th agreement does not address any of the four items in question. by clarification, the Coast Guard and Customs have in this agreement and by a prior exchange of letters agreed to two major issues.
(1) to build the Southeast Center on Coast Guard property at Richmond Heights, FL., and
(2) the joint command organization, staffing and responsibilities of the SE Center.
Since the Customs Service had already planned on operating their SW Center at the Air Force SOCC, the March AFB site has not been an issue.

QUESTION. ARE YOU SATISFIED WITH THIS AGREEMENT? WHAT ARE ITS STRENGTHS AND WEAKNESSES, IN YOUR OPINION?

Answer. We are satisfied. The strengths are:
- the C3I center will exercise command authority;
- a single head promotes unity of command;
- the joint framework combines the unique capabilities/perspectives of each agency;
- it helps avoid duplication of effort;
- each agency has a vested interest to ensure that the C3I center succeeds;
- and other agencies may commit air and marine assets to the C3I center.

If there is a weakness, it is that the center's performance relies on interagency cooperation rather than a single lead agency's overall responsibility and accountability for a geographic area. That could be a strength, however. Close association of two agencies could lead to a smoother field operation especially since the Center will serve the land, maritime and overseas (Bahamas) regions.

QUESTION. WHAT ROLE HAS THE NATIONAL NARCOTICS BORDER INTERDICTION SYSTEM (NNBIS) PLAYED IN THE DEVELOPMENT OF THE SYSTEM? WHAT IS THEIR FUNCTION IN THE DRUG INTERDICTION EFFORT?

Answer. NNBIS attended the C3I working group meetings and encouraged interagency cooperation and coordination. NNBIS is a mechanism for coordinating efforts to interdict the flow of drugs to the U.S. using all appropriate federal, state and local resources. Under the leadership of the Vice President, the NNBIS mandate is to:

-Enhance interagency coordination and cooperation in drug interdiction.
-Increase the participation of the military services in supporting drug interdiction.
-Expand the involvement of the intelligence community in support of drug interdiction.
-Promote international anti-drug efforts which complement U.S. interdiction activities.

QUESTION. WHAT KIND OF EXPERIENCE DOES THE COAST GUARD HAVE IN C3I? COULD YOU EXPLAIN HOW YOUR CURRENT C3I SYSTEM SUPPORTS MARITIME DRUG INTERDICTION?

Answer. The Coast Guard maintains continuous C3I capability for search and rescue, military readiness, maritime law enforcement, maritime environmental protection and disaster assistance through 24-hour a day operations centers. For maritime law enforcement, intelligence data is gathered by unit and district staffs who provide the information to EPIC and other operational commanders. We have facilities for storing and analyzing sensitive intelligence information that are approved for handling this information. Our in-place communications system provides extensive coastal and off-shore coverage for ships, aircraft and shore stations. We maintain interoperability with the Navy and other DOD forces. The Navy has also planned additional command and control capability for our Maritime Defense Zone responsibilities.

Current surface maritime drug interdiction operations are organized under a military operations plan (OPLAN) with the assets controlled by the region's operations center. An example of this is large scale, on-going operations in the Caribbean that is directed by the Seventh Coast Guard District and supported by DOD and other federal agencies.

QUESTION. HOW WILL THE COAST GUARD USE THE PROPOSED C3I CENTERS FOR ITS DRUG INTERDICTION EFFORTS?

Answer. The Coast Guard would use the centers to integrate information from a variety of sources. The operational picture would be overlayed with intelligence information to enable real-time situation assessments to coordinate, control and direct the forces of participating agencies. The centers would analyze drug smuggling patterns and tactics and have automated access to local and remote data bases. The center would be the central control point to coordinate air drug interdiction efforts with other surface maritime operations.

For example, a Navy surveillance aircraft north of the Yucatan Peninsula reports to the C3I center that a suspect aircraft is moving north. The Coast Guard watch officer launches an HU-25 jet interceptor to identify and track the suspect aircraft. The HU-25A intercepts the target, collects and then passes identifying information to the C3I watch officer. The watch officer checks appropriate databases for intelligence information. If, after such information is analyzed, the aircraft is considered suspect, the HU-25 follows it across the Gulf of Mexico to the U.S. coast. The Coast Guard watch officer then alerts the Customs watch officer and hands-off the target to Customs. The HU-25 continues to track the suspect until relieved by the Customs tracker aircraft. The Customs C3I center controller coordinates overland tracking with the FAA and apprehension with state and local law enforcement agencies. The suspect aircraft lands, the crew and ground personnel are apprehended and the plane and cargo are seized.

QUESTION. HOW DO YOU SEE THE DEFENSE DEPARTMENTS ROLE IN THE DRUG WAR? WHAT DO YOU SEE AS YOUR RELATIONSHIP WITH THE DEFENSE DEPARTMENT?

Answer. The Defense Department, through NNBIS coordination procedures, provides invaluable assistance in maritime drug interdiction. The Department of the Navy has been particularly aggressive in maritime drug interdiction and since OCT 86 has assisted the Coast Guard in making 15 vessel seizures including 182,891 pounds of marijuana, 539 pounds of cocaine, and 87 arrests.

The Coast Guard has an excellent relationship with DOD. As an armed service, even though we do not fall under DOD except in time of war, we work closely with them in our defense operations mission particularly in the Maritime Defense Zone (MDZ) and vessel readiness training. I believe the Coast Guard should be the agency responsible for planning and execution in the maritime region with DOD in a support role of providing assets as needed.

QUESTION. THE 99TH CONGRESS PROVIDED CONSIDERABLE RESOURCES FOR DRUG INTERDICTION. HOW EFFECTIVE WAS THAT LEGISLATION, AND WERE THE FUNDS ALLOCATED IN AN OPTIMUM MANNER?

Answer. The legislation had many good features. It focused national attention on drugs, provided more assets to fight drugs, integrated government assets, and provided for better cooperation and coordination among agencies. It also amended the Mansfield Amendment which has allowed the Coast Guard to respond to requests from the Bahamas, Panama, and Dominican Republic for assistance in efforts to suppress illicit drug trafficking within their territorial waters. However, the allocation of funds and equipment should have been left to the NDPB so that these limited funds could have been expended in a more optimum manner.

QUESTION. THE COAST GUARD AND CUSTOMS EACH RECEIVED 2 E-2C AIRCRAFT FOR DRUG INTERDICTION PURSUANT TO THE 1986 DRUG BILL. HOW HAVE THOSE PLANES BEEN USED TO DATE?

Answer. Coast Guard Air Facility Norfolk was established on January 22, 1987 for operation and support of the 2 E-2Cs we received. The first Coast Guard operational mission commenced on February 9th and resulted in the seizure of one aircraft. Results of a second deployment, which commenced on February 23rd, included the seizure of 528 pounds of cocaine and four arrests. Operational deployments of the aircraft continue as directed by the operational commander to support on-going interdiction operations. We are not aware of the status of the Customs E-2Cs.

QUESTION. IF YOU WERE SELECTED TO FORMULATE AN AIR INTERDICTION PROGRAM, WHAT AGENCY WOULD YOU PLACE IN CHARGE?

- WHAT AIRCRAFT WOULD BE NEEDED?
- WHICH OF THOSE DOES THE COAST GUARD HAVE?
- HOW LONG WOULD IT TAKE FOR THE USCG TO GET THOSE AIRCRAFT AND TRAIN FLIGHT CREWS?

Answer. On 11 May 1987, the Coast Guard and the Customs Service signed a Memorandum of Understanding (MOU) titled "Drug Interdiction Lead Agency Role." This Memorandum has been submitted to the National Drug Policy Board (NDPB) for inclusion in its Comprehensive Interdiction Plan as required by the DOD Authorization Act of 1987.

The MOU assigns joint responsibility for air interdiction to the Coast Guard and Customs. Interdiction in the air space over the sea and the land requires the expertise of both agencies and the close coordination of their activities. These requirements in addition to the dynamics of the air interdiction problem, demand the establishment of centralized command, control, communications, and intelligence (C3I) centers in Southwest and Southeast United States (SWUS and SEUS).

Due to the land border with Mexico, Customs is the lead agency for all aspects of air interdiction in SWUS. For SEUS, the Coast Guard is lead agency for detection, and Customs is lead agency for tracking and apprehension.

The Long-Range Surveillance Subcommittee of the Enforcement Coordinating Group of the NDPB is currently tasked to define the resources required by law enforcement agencies for air interdiction. Acquisition and training requirements will be paced by the type and mix of resources in the report.

Existing Coast Guard assets include two E-2Cs from the Navy, our fleet of HC-130s and HU-25s, of which eight HU-25s are planned for sensor modifications to night capable interceptors, and three helicopters for operations in the Bahamas. Plans are under review to obtain CH-3E aircraft from the U.S. Air Force for the Bahamas operations.

QUESTION. HOW MANY AIR CREWS DOES THE COAST GUARD HAVE?

Answer. The Coast Guard has approximately 888 pilots and 2,330 aviation enlisted personnel, for a total of 3,218 assigned. Some of these personnel, however, fill non-aviation billets. The number of aviation personnel assigned as aircrew varies from as few as three on the HH-52A or HH-65A helicopter to as many as seven on the HC-130 aircraft.

QUESTION. WHAT IS USCG STATUTORY AUTHORITY TO ENFORCE SMUGGLING LAWS?

Answer. The Coast Guard is empowered by Section 89 of Title 14 USC to enforce all U.S. law on the high seas and waters subject to U.S. jurisdiction. (U.S. territorial sea, contiguous zone, customs waters, high seas) This includes all Title 19 and Title 21 laws intended to provide authority for drug interdiction.

Coast Guard commissioned, warrant, and petty officers are also designated Officers of the Customs by 14 USC 143 and 19 USC 1401.

The Coast Guard shares law enforcement responsibility with the Customs Service in customs waters. These waters, defined in 19 USC 1401, include maritime areas out to 12 miles from the coast of the United States. Additionally, foreign flag vessels are in customs waters when U.S. law enforcement is permitted by special arrangement between the U.S. and the vessel's flag state. Pursuant to 19 USC 1589a, the status of Coast Guard officers as Customs officers also allows the Coast Guard to enforce U.S. law in non-maritime areas.

The Coast Guard is the only agency empowered by statutory and case law to enforce U.S. law beyond customs waters.

Under current U.S. law, no agency has authority to enforce U.S. law against an aircraft beyond 12 miles from the coastline. Once an inbound aircraft crosses this border, both the Coast Guard and Customs have law enforcement authority.

The aviation smuggling provisions of the Anti-Drug Abuse Act do not enhance law enforcement authority. As the legislative history makes clear (H.R. Rep. No. 794, 99th Cong., 2d Sess. 13 (1986), the act addresses prohibitions rather than enforcement. The act provides for civil and criminal penalties for violations, and contains certain presumptions intended to address problems encountered by law enforcement officers, including Coast Guard and other officers as well as Customs.

QUESTION. HAS CUSTOMS AIR INTERDICTION MISSION EVER BEEN TRANSFERRED TO THE USCG IN THE PAST? IF SO, WHEN?

Answer. The Customs air interdiction mission has not been transferred. However, in 1934, Henry Morgenthau, Secretary of the Treasury, transferred the entire Customs Service aviation detachment to the Coast Guard.

QUESTION. IF AEROSTAT RADAR WERE NETTED INTO THE SOCC AT TYNDALL, COULD TYNDALL SUFFICE AS THE C-3I FOR SOUTHEAST U.S.?

Answer. Yes. Three land-based aerostats are already linked to Tyndall and integrated into the SOCC computer system. There are also three other sites that receive aerostat data. They are the Customs console at the Miami Air Route Traffic Control Center (ARTCC), the Marine Operations Center in Miami and the Joint Air Reconnaissance Control Center in Key West. While Tyndall offers excellent potential for the Southeast Center, it is limited to Air Force operations by the number of scope positions and computer capability. Additional space, equipment and people would be required for drug air interdiction operations.

QUESTION. WHAT ARE SOME OF THE OTHER ASSETS AVAILABLE TO THE INTERDICTION MISSION AT TYNDALL?

Answer. Tyndall AFB has the following additional assets which we believe are very useful for conducting air interdiction.

Radars:

- 15 USAF/FAA air traffic control radars forming continuous Southeastern United States coverage for high altitude (above 10,000 feet) targets
- Three aerostat radars (Cape Canaveral, Cudjoe Key, and Grand Bahama Island)

Communications:

- Non-secure ultra-high frequency (UHF) air-to-ground radio communications link remote sites throughout the Southeast United States
- Non-secure high frequency (HF) long range voice radio communications also exists
- Secure military satellite communications
- DOD's AUTOVON telephone network
- DOD's AUTODIN secure message communications network

Tactical Data Link: LINK 11 communications equipment and interface to its computer and display system.

Over-The-Horizon (OTH) Radar: The Air Force will add OTH information to the Tyndall SOCC when coverage of southern approaches to the United States becomes available in the 1990s.

Security: Tyndall AFB is a controlled access base.

QUESTION. WHICH OF THESE (TYNDALL AFB ASSETS) ARE CURRENTLY AVAILABLE IN MIAMI/RICHMOND HEIGHTS?

Answer.

Communications:
- Secure and non-secure ship-to-shore and air-to-ground high frequency radio
- Secure telephone (STU-II)
- AUTODIN secure message communications network

Tactical Data Link: None

Over-The-Horizon Radar: None

Security: The existing perimeter security fence and gate are not adequate for a C3I center and must be improved. The C3I center also requires a security force.

QUESTION. IS IT NECESSARY TO HAVE AIR AND MARINE INTERDICTION C3 AT THE SAME CENTER?

Answer. There are major differences between air and marine interdiction. Air interdiction covers a vast geographic area while marine interdiction tends to be more regionalized. Air interdiction reacts to a faster evolving environment requiring greater control for flight safety, hand-offs and coordination with apprehension personnel which must be dispersed to the landing sites. While air interdiction relies primarily on detection sensors, maritime interdiction relies more upon intelligence and patrols. Maritime smugglers can also be stopped and boarded after they are intercepted. Therefore, several different types of units are not required to detect, intercept, track to smugglers' destination and then apprehend.

The collocation of air and marine centers is only one of many factors to consider. Separate sites can be tailored to meet the needs of air and surface interdiction commanders. Although coordinated air and marine smuggling does occur, coordination between C3I centers can be accomplished by voice and data communications. I believe a C3I for air should have a regional responsibility while local C3I centers for surface are needed. These local centers (District Operations Center for USCG and Blue Lighting Operational Centers for Customs) should be collocated whenever possible and have real time secure communications with the air C3I Center.

QUESTION. DO CUSTOMS AND USCG CURRENTLY PARTICIPATE JOINTLY IN AIR INTERDICTION?

Answer. Yes. Coast Guard and Customs Service interceptor aircraft stand strip alert together. Detected targets, whether from land based radars, shipboard radars, aerostats or E-2Cs, are passed to both the Customs Service C3 and Coast Guard Operations Center. Coast Guard HC-130s and Customs P-3 aircraft occasionally fly airborne alert for detection assets. During each subsequent operation, the coordination between agencies has been improving.

QUESTION. WHAT IS THE RANGE OF USCG INTERDICTION FLIGHTS?

Answer. The Coast Guard's statutory range, as for surface law enforcement, extends throughout our area of responsibility (maritime region) which includes U.S. waters, the high seas, and foreign waters with permission of foreign governments.

Our C-130 and HU-25A fleet regularly operate throughout the Atlantic, Caribbean and Pacific. Both aircraft are routinely deployed to forward bases, such as Guantanamo, to support law enforcement operations. The C-130 can reach any point in the world and has a radius of operation of 1500 nautical miles. The HU-25A has a radius of operation of 750 nautical miles.

QUESTION. DO CUSTOMS AND COAST GUARD CURRENTLY PARTICIPATE JOINTLY IN MARINE INTERDICTION?

Answer. Yes. Coast Guard and Customs conduct many short and long term cooperative drug interdiction efforts in the maritime region. Short term operations consist of jointly run harbor blockades of major port areas and joint inspection teams searching large cargo vessels. Long term cooperative projects include the Blue Lightning Operations Center (BLOC) in south Florida which Customs and Coast Guard jointly staff under Customs direction and the Bahamas Drug Task Force and Operation Bahamas and Turks Caicos (OPBAT) where both agencies cooperate in marine and air interdiction.

QUESTION. WHAT ARE SOME OF THE STATISTICS FOR USCG MARINE SEIZURES?

Answer. Coast Guard seizures for the years FY82 to FY86 follow:

USCG DRUG SEIZURES

	FY82	FY83	FY84	FY85	FY86
Vsls Seized	185	145	223	184	147
MJ On Vsls	3,530,000	2,240,000	2,800,000	1,860,000	1,750,000
MJ Adrift	61,000	61,000	62,000	94,000	92,000
Cocaine (lbs)	40	55	1,932	5,890	7,495
Hashish (lbs)	35,000	1	30,060	0	2,000
Hash Oil (gals)	0	0	0	0	10
Arrests	1,048	709	1,056	724	646

Note: The above statistics represent Coast Guard seizures only. In addition, in FY 86 the Coast Guard assisted in the seizure of 12 vessels, 233,601 pounds of marijuana, and 1,031 pounds of cocaine and in the arrest of 74 individuals.

QUESTION. IF THE E2CS CONTINUE TO BE SUCCESSFUL, WILL THERE BE A NEED TO RETROFIT C130 AIRCRAFT WITH 360-DEGREE RADAR? WILL THE ADDITIONAL NEED JUSTIFY THE FUTURE COST OF RETROFITTING?

Answer. The National Drug Policy Board is now reviewing this issue in the Long-Range Surveillance Subcommittee. The report when approved by the NDPB, will define the resources required by law enforcement agencies for air interdiction. Acquisition and training requirements will be paced by the type and mix of resources in the report. Until the report is finished, it is inappropriate to comment on additional detection capability.

QUESTION. HAS THE USCG PARTICIPATED IN ANY SEIZURES RESULTING FROM TARGETS IDENTIFIED BY THE P3 AIRCRAFT WITH F15 RADAR OPERATED BY CUSTOMS?

Answer. No. The F-15 radar used in the Customs Service P-3s is an air intercept radar and therefore has very limited applications during wide area detection.

Coast Guard resources worked with the Customs Service and their P-3 during the joint air interdiction operation from January 20th to February 15th. However, no seizures resulted.

QUESTION. IF USCG PARTICIPATED IN A PURSUIT INTO THE U.S. INTERIOR, WOULD FAA INTERIOR APPROACH RADAR BE NECESSARY AT USCG C3 CENTER?

Answer. It would be beneficial to extend the C3I center's radar coverage inland and at the same time add coverage along the border where there are no aerostats to fill in low altitude gaps in FAA and Air Force radar surveillance. This would be done by adding FAA high altitude air traffic control center radars from interior sections of the United States and low altitude approach control radars from many airports near the border and in interior areas to the C3I center's radar processing system. Since initial detection, interception, and identification of suspect aircraft at the border are the more challenging phases of air interdiction, addition of strategically located airport approach control radars is probably the more important. However, expanded inland coverage would allow the C3I center to exercise positive surveillance over suspect aircraft, direction and traffic safety separation for tracker and apprehension units, and timely coordination with state and local enforcement personnel on the ground.

QUESTION. ABSENT USCG AVAILABILITY TO APPROACH RADAR, WOULD FAA PROVIDE SEPARATION AND ACHIEVE A DEGREE OF SAFETY?

Answer. FAA could provide safety of flight traffic separation, if the tracker aircraft were within radar coverage of one of its centers. The suspect and/or tracker would need to fly at a high enough altitude for the FAA's radar to detect the airplane or its beacon. Control procedures would have to be outlined in an interagency agreement. We will explore this with FAA.

QUESTION. WHAT HAS THE COAST GUARD'S EXPERIENCE BEEN WITH THE "CONDO RADARS?"

Answer. Coast Guard has worked with condominium roof top radars through our joint participation in the Blue Lightning Operations Center (BLOC). Unfortunately, sorting of targets remains a problem, limiting effectiveness. They are better than nothing which is what we had prior to BLOC.

QUESTION. ARE YOU SATISFIED WITH THE COOPERATION YOU HAVE RECEIVED IN YOUR INTERDICTION EFFORTS FROM:

DEA

FBI

DEPARTMENT OF DEFENSE

Answer. Yes. Our working relationship with these organizations is very good.

STATEMENT OF MAJOR GENERAL STEPHEN G. OLMSTEAD, USMC

DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR

DRUG POLICY AND ENFORCEMENT/

DIRECTOR, DOD TASK FORCE ON DRUG ENFORCEMENT

DEPARTMENT OF DEFENSE

BEFORE THE SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

COMMITTEE ON GOVERNMENT AFFAIRS

MARCH 24, 1987

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Mr. Chairman, it is indeed a pleasure to appear before you today to discuss the role of the Department of Defense in the President's war on drugs. This is a deadly war which affects every segment of our society.

I appear before you today in my dual roles as the Deputy Assistant Secretary of Defense for Drug Policy and Enforcement and the Director of the DoD Task Force on Drug Enforcement. As such, I am responsible for coordinating all Defense Department activities to implement the President's six goals to eradicate drug abuse and for DoD's support of civilian drug law enforcement activities.

The Department of Defense has shown a dramatic 67 percent reduction in reported drug use. In 1980, 27 percent of all uniformed military personnel reported that they had used some illegal drug in the preceding 30 days. By 1982, this figure had dropped to 19 percent. By 1985, less than nine percent of our military men and women reported using illegal drugs in the preceding 30 days.

This is the good news. The bad news is that drugs are still entering our country at an unacceptable rate. Too many of our children are becoming victims of cheap and highly addictive drugs peddled by dealers who are often their peers. Our streets are not safe; our schools are not safe; our homes are not safe from this insidious monster.

I believe that in working together, the Congress and the Executive Branch have begun the arduous task of ridding American society of drugs. We are in the infant stage of this battle and, at this time, there is no clear cut winner. We in Defense recognize the important role we play in the war on drugs.

To be sure, the defense of this country is and should be the military's number one priority. We must continue to maintain the delicate balance between providing drug interdiction assistance and assuring our national military readiness and national security mission imperatives. The proper role for our military forces in the drug war is to provide support so that civilian law enforcement agencies can make the necessary searches, seizures, and arrests. This will not compromise the traditional separation of the military from civilian activities. We in Defense will continue to do everything we can do legally to support the law enforcement experts as long as it does not have a negative impact on our primary mission.

Mr. Chairman, we are proud of the assistance we have provided thus far. This assistance is primarily in three areas: airborne surveillance, equipment loans, and general support.

Airborne surveillance is the largest area of DoD support to drug enforcement agencies. In FY1986, over 3,149 sorties were flown amassing 15,827 flight hours, an increase of 52.5% over FY1985. This support is provided by many different airborne platforms.

o Navy E-2's provided 1,638 hours of aerial surveillance for the Customs Service in the Caribbean, along the Mexican border, the Gulf of Mexico and the offshore waters of California and Florida. Frequently U.S. Marine Corps OV-10's collocated with the E-2Cs have performed complementary operational support missions.

o Navy P-3's flew 6,863 hours of long-range surface surveillance coverage throughout the Caribbean and the Gulf of Mexico. S-3's flying from San Diego, California provided surveillance coverage off the coast of California and Mexico.

o The Marine Corps, in addition to 845 hours of OV-10 surveillance support, provided mobile ground radar surveillance and anti-personnel intrusion detection.

o Air Force increased its AWACS support by 83% over FY1985, flying 2,989 hours of radar surveillance missions many with Customs personnel onboard.

o The Air Force operates two aerostat radars located in Florida at Cudjoe Key and Patrick AFB. These radars provide effective look-down capability against low-flying aircraft. Both aerostats digitally linked to the Customs Service Miami C^3 facility and the Tyndall Sector Operations Control Center (SOCC), were operational over 8,400 hours in 1986.

o While on State Active Duty and/or incidental to scheduled training, the National Guard flew 1,703 hours (primarily aerial observation) in support of civilian drug law enforcement authorities in 21 states. National Guard support resulted in the destruction of 1,467,898 marijuana plants and 598 coca plants.

A second area of DoD support is equipment loans to civilian law enforcement agencies. Through FY1986 we have loaned over $138.65M of equipment to drug law enforcement agencies. The Army aircraft loaned to Federal civilian drug enforcement agencies include Blackhawk, Cobra and OH-6 helicopters and Mohawk fixed-wing aircraft. Additionally, during FY1986 the Army loaned six C-12 King Air aircraft to Customs. In addition, during the current fiscal year, the Army loaned four UH-60s to Customs and the Navy loaned two E-2Cs to Coast Guard and two to Customs, as specified in the Anti-Drug Abuse Act of 1986.

o The Air Force also loaned 95 Communication Encryption Devices to the Customs Service and DEA.

DoD also provided general support in several additional key areas.

o In Hat Trick II, the largest interagency anti-narcotics operation to date, DoD aided operational planning, developed interagency voice privacy radio networks using DoD equipment and facilities, and provided expanded intelligence support. These significant contributions aided in disrupting maritime and airborne drug trafficking.

o The Navy additionally provided 1287 ship days (including PHM hydrofoils) with USCG tactical law enforcement teams (TACLETS) embarked; and the towing of drug vessels by Navy vessels permitted USCG cutters to remain on station.

o The Army, Navy, Air Force, and Marine Corps provide expert personnel assistance to seven National Narcotics Border Interdiction System (NNBIS) Regional or District Centers and the NNBIS headquarters in Washington D.C.

o Since 1983, by a joint declaration of emergency signed by the Secretary of State, Attorney General, and Secretary of Defense, the Air Force has continued its support to Operation Bahamas and Turks (OPBAT) with personnel operating and maintaining two UH-1N helicopters stationed in the Bahamas. The Air Force flew 886 hours in FY1986. These helicopters provided quick insertion of Bahamian law enforcement teams on drug apprehension missions. During Hat Trick II, a large multi-agency drug interdiction operation, the Army augmented the Air Force cadre with two additional Blackhawk helicopters and aircrews with over 428 hours of flying support.

We are also taking steps to assist other countries in dealing with the drug production problem at its source. Such operations are accomplished in full accord with the host countries, Department of State, and Department of Justice.

"Operation BLAST FURNACE" is a prime example. The Government of Bolivia asked the Department of State for support in eliminating cocaine processing/drug storage sites. In view of the serious threat to the U.S. from the scope of drug trafficking in Bolivia, the Attorney General and the Deputy Secretary of Defense (in accordance with 10 U.S.C. 374) jointly declared the existence of an emergency situation. This authority is the same as that pertaining to OPBAT as mentioned earlier. Our specific support included aircrew and logistics support personnel for U.S. Army Blackhawk helicopters which provided quick insertion of Bolivian National Police and DEA agents into cocaine production/cache sites. These Army helicopters flew 1,200 hours in support of 107 operational missions. The U.S. Air Force provided 537 hours of airlift for Army units to and from Bolivia as well as supporting in-country logistics.

We are actively supporting expansion of the program to embark TACLETS aboard U.S. Navy ships. The Navy offers all available ships and the Coast Guard chooses those best suited to optimize use of tactical law enforcement teams. During operation Hat Trick II, TACLETS on Navy ships contributed to the seizure of 151,000 pounds of marijuana on the high seas.

I mentioned earlier, Mr. Chairman, that we are proud of the substantial assistance we've provided. We are acutely aware, however, that there is more to be done. In that regard, the President signed a National Security Decision Directive (NSDD) on Narcotics and National Security. This document assessed the threat from the international narcotics trade and directed specific actions to increase the effectiveness of U.S. counter-narcotics efforts. The Department of Defense, along with other departments and agencies having roles in drug enforcement, has been directed by the President to support more actively counter-narcotics efforts in many areas. In accordance with the NSDD, expanded DoD support including surveillance, intelligence, communications, planning, training, equipment loans and other support will improve the capabilities of drug law enforcement authorities to interdict and apprehend drug smugglers and provide a proper focus for the armed forces without compromising the traditional separation of the military from civilian law enforcement activities. In that regard, we are working closely with the law enforcement community to increase this type of indirect assistance.

Mr. Chairman, the Defense Department shares the nationwide concern regarding the threat that drugs and drug trafficking pose to our society and is proud to support this nation's campaign against illicit drug abuse.

Drug interdiction alone, however, will not win the war on drugs. Victory requires the eradication of the source; punitive action against traffickers and habitual users; appropriate treatment centers for the addicted; and a "tough love" education program at home, in our schools and in the workplace. The drug lords will be put out of business only if we and our children decide we will not be their customers and that we will not pay for our own destruction.

Thank you for the opportunity to appear before your Committee. Mr. Chairman, I would be pleased to answer any questions at this time.

Additional Questions for Hearing Record

Major General Stephen G. Olmstead, USMC

1. How long and how extensively has DoD been in the C-3I business?

   [On 20 February 1940, the War Department created the Air Defense Command (ADC) to study air defense problems. In March of that same year, the First Air Warning Company was activated at Fort Monmouth, NJ and assigned to ADC. The next month the first early warning radar was installed, thus beginning, the era of radar detection and early warning. In 1948 Continental Air Command was formed. In 1953, the modern era of C-3I was initiated with the decision to automate the manual radar system. The new system, called the Semi-Automated Ground Environment (SAGE) System, forwarded radar data from sites to central locations called Direction Centers where Air force personnel performed the functions of detection, tracking, identification and interception. Today's air defense system, the Joint Surveillance System (JSS), is a modern, state-of-the-art upgrade to SAGE which performs the same functions. The Department of Defense has been with automated C-3I since its conception and C-3I forms the backbone of our air defense structure.]

2. - Is there a SOCC at Oklahoma City? In your opinion, is there any practical reason for a C-3I national command center, located at Oklahoma City or elsewhere?

   [The Military already has a National Military Command Center; I know of no requirement for another.]

3. Assuming there exist tactical intelligence centers and assuming less than 10 encroachments per day in the United States, given your experience, how would you recommend designing a C-3I system?

   [Just considering the drug threat -- I feel something less should suffice.]

4. Last week Commissioner von Raab spoke of the need for low-altitude radar in drug interdiction and the fact that SOCC facilities do not include such radar, implying that it was not necessary to co-locate C-3I centers at the SOCC. Does Customs currently have personnel located in SOCC facilities in order to give them access to DoD radar? Is that radar data currently helpful to drug interdiction efforts?

   [Yes - Customs has requested and has been given use of SOCC radar data. SOCC data has been used successfully in drug interdiction efforts.]

5. Could DoD accommodate Customs to the extent that new Customs facilities are not required?

   [DoD can assist and is assisting Customs on a limited noninterference basis. Customs representatives have shared our Tyndall and March AFB equipment on a full-time basis since early 1980s. DoD cannot, unfortunately, accommodate all of Customs C-3I needs over the long term. We have offered access to our radars and communication in their own facilities.]

6. Will DoD participate in the newly proposed All-Source Intelligence Center?

   [To my knowledge, we have not been requested to do so. Should we be asked, we will study the requirement to determine if such support would be compatible with out primary mission requirements.]

Additional Questions for Hearing Record

Major General Buford D. Lary, USAF

1. How large is DoD's SOCC network? In terms of expected threat, why is it set up this way?

   [The SOCC network is designed to respond to the danger of simultaneous and multiple encroachments.]

2. Customs desires to remote USAF UHF from the Tyndall SOCC to Miami C-3I? Is that agreeable with USAF? What Security problems exist?

   [A limited capability currently exists. This capability can be expanded with additional funding.]

3. Can the processed radar data from Tyndall be remoted to Miami? What would it cost? What would be security implications?

   [Under the present system, the FYQ-93 processed data cannot be remoted from the 23 AD SOCC to the Miami Control Center. With hardware and software modifications, it may be possible to send data via forward tell to the Miami Control Center. To accomplish that would require a hardware modification (cables, circuit cards -- two year lead time) in the AN/FYQ-93 at Tyndall, a software change in the JSS ROCC program, teleco lines between the SOCC and Miami Control Center and a processor at the Miami Control Center. This would have to be a secure link. Based on the following hypothetical scenerio, the following cost figures are provided.

   a. Obtaining data via separate data lines from each of the radar sites to the Miami C-3I.

   (1) Radar data from 23AD sites: Oceana, Ft Fisher, Jedberg, Whitehouse, Cross City, Tyndall, Grand Bay, Slidell, Lake Charles, Ellington and Oilton (assuming Miami already receives data from Key West, Cudjoe Key, Richmond, Patrick, Ft

Lonesome and Cape Canavveral) eleven sites x $1500/line/month = $16,500/month.

(2) Modems - need two per line (one at each end) x 2 = 22 x $10/month = $220/month.

(3) Telco lines - assuming at least two per site 121 x 2 = 22 x $1500/month = $33,000/month.

(4) Computer and associated hardware interface if existing computer at Miami can handle additional inputs then little or no cost. If another computer is needed, then approximately $8.8M (based on our experience with the SOCC Hughes Computer and twelve air surveillance display consoles). Integration $4.0M.

(5) Software Support - Assuming Miami already has support and Customs can utilize it, then no cost. If additional software support personnel, etc are required, then cannot estimate cost.

(6) RADIL - To duplicate E-3/E-2C data presentation for Customs use, Customs must purchase a RADIL in this scenerio. Cost $1.0M - which includes one RADIL console, one data terminal set, one government furnished KG 40, one HF radio (data), one HF radio (voice), one modem for each HF radio and one antenna for each HF radio. THIS WILL ONLY PROVIDE STAND-ALONE CAPABILITY. THIS WILL NOT INTERFACE WITH THEIR COMPUTER. DOES NOT INCLUDE SOFT-WARE SUPPORT.

(7) Facility - not sure of size and requirements needed. Total Option A (Estimate) = $14M (not including facility). = $49,720/Month (does not include computer or RADIL hardware)

b. Obtaining all data received at Tyndall via a lateral tell line from Tyndall to Miami.

(1) Radar data from 23 AD sites (may not include 360 degree coverage of each site) lateral tell port $4000/mo.

(2) Multiplexers (2) - $1000 ea = $2000.

(3) Process (computer) + 12 consoles (8.8M). Integration $4.0M.

(4) Hardware/software modifications required at Tyndall and at Miami - cost substantial, but unknown.

(5) Crypto equipment in each line (KG84 and CAM) = unknown.

(6) Modems - 2 x $10/mo = 20/mo.

(7) Telco lines - assuming at least two per site 11 x 2 = 22 x $1500/month - $33,000 month.

(8) Software support - unknown.

(9) Facility - not sure of size and requirements.

TOTAL for option B (estimate + $13M (not including facility)

= $33K/month recurring costs.]

4. Would C-3I Center at Miami duplicate Tyndall?

   [Certain aspects would be duplicative - receipt of all non-FAA radar data and E-3/E-2C data from the RADIL. The nonduplicative items include any maritime information received.]

5. Could Customs dispatch interceptors at Miami from Tyndall?

   [Yes.]

6. Is aerostat data from Cudjoe Key and Bahamas available at Tyndall?

   [Yes.]

7. Is communications and power supply sufficient?

   [Under the existing arrangement which has been in effect since 1984, the Customs representatives at Tyndall share the military computer, display and communications equipment on a mutually-agreed time-share basis. There are on-going programs for hardware and computer memory growth scheduled to be completed during 1988. Should law enforcement agencies desire to collocate, sufficient communications will be available when the construction is completed.]

8. Is there room on Tyndall for Customs construction?

[Yes.]

9. Is the SOCC at Tyndall similar to March AFB?

[Yes.]

10. Same accommodations for Customs at both?

[Yes.]

11. Can the SOCC's receive down link from E-3s and E-2Cs and surface equipped vessels?

[Yes.]

12. Will aerostat data benefit military?

[Presently there is no operational requirement (except Cudjoe Key) to obtain the low-altitude coverage that aerostats provide. Any additional radar data form TARS would enhance USAF low-level training.]

13. Can aerostats be netted to March AFB?

[It is technically possible to net the Southwest aerostats to the 26 AD. At present, only 20 sites can be netted at one time. Presently, the 26 AD has 12-14 full-time sites. In two years, the SOCC will be able to net 25 radar sites.]

14. What data is available at March?

[Ground-based and FAA radars provide digital data inputs via telephone lines to the central March AFB SOCC computer. Radar track and discrete surveillance information from AWACS, E-2, and link-capable surface vessels, is received on secure data-links via RADIL.]

15. Are there any intelligence facilities at Tyndall?

[Yes, the Sensitive Compartmented Information Facility (SCIF) handles above "top secret" information.]

16. Will DoD participate in the newly proposed All-Source Intelligence Center?

[To my knowledge, we have not been requested to do so. Should we be asked, we will study the requirement to determine if such support would be compatible with out primary mission requirements.]

17. How will DoD participate in the Customs/Coast Guard C-3I center at March Field?

[DoD will offer access to all the radar data available at the March Sector Operations Control Center. Customs will also have access to our ground-to-air remoted radio receivers and transmitters along the U.S. coastline from Brownsville, Texas to San Francisco, California. Air Force personnel at the center will assist Customs with sorting as time permits.]

18. Does DoD work with NNBIS? How?

[We have a very cordial and professional relationship with NNBIS. With so many agencies and activities asking for DoD resources, NNBIS serves as a valuable forum to coordinate requests, eliminate redundancies or "overkill," and then forward the scrubbed list to us.]

19. Is remoting of approach radar necessary for safety of pursuit aircraft? How does USAF handle pursuit safety? Does FAA ARTCC assist?

[Approach radar is not needed for military operations. Further, the military air defense focus is seaward.]

20. Is the FAA planning to replace the ARTCC radar?

[The FAA and the Air Force have jointly agreed to replace existing military and FAA radars, which are becoming logistically difficult to maintain and are manpower intensive, with modern solid state 3-D radars, under the FAA Air Force Radar Replacement (FARR) program. These Air Route Surveillance (ARSR-4) are long-range (over 200 NM) radars and should not be confused with short-range approach control or terminal radars. There is no impact to the radar displays at the Sector Operational Control Centers (SOCCs). The change of the radar will be transparent to the user since it is a one time replacement. There should also be no impact to the C-3I at Miami vis a vis todays mission.]

21. Can approach radar form Miami, Atlanta, Memphis be remoted to Tyndall and March? How costly?

[Presently, the approach radars from Miami, Atlanta and Memphis cannot be remoted into the 23 AD SOCC without selectively dropping off required sites. Should this be a law enforcement requirement, hardware and software changes would take an estimated two years. Cost figures are not available.]

22. Personnel of the March SOCC advised Subcommittee staffers that USAF personnel at the SOCC referred 96 "Track of Interest" to Customs between November 2, 1986 and February 18, 1987. Do you know how many of these tracks were intercepted by Customs?

[Information has been provided tot he Deputy Chief Counsel of the Select Subcommittee on Investigations.]

PREPARED STATEMENT OF OLIVER B. REVELL

Mr. Chairman,

I am pleased to appear before your Subcommittee that has commenced hearings on the effectiveness of Federal drug interdiction efforts. Your letter of invitation specifically requested testimony on the efforts the United States Customs Service has made to coordinate their C3I proposal with the Federal Bureau of Investigation (FBI) and how such a program would best be integrated into our current drug enforcement efforts, as well as the proposed development of an All Source Intelligence Center.

Successful interdiction deters potential traffickers from entering the drug trade, disrupts the flow of drugs into the United States, and forces traffickers to develop more expensive methods to avoid detection and use longer, more difficult smuggling routes.

The national interdiction strategy, as outlined in the National and International Drug Law Enforcement Strategy of the National Drug Enforcement Policy Board[1], integrates the capabilities of the various interdiction agencies to maximize the possibilities of detecting, identifying, and intercepting drug traffickers from departure points in source countries, along their smuggling routes, to entry or delivery points along the United States border. The interdiction program has become more aggressive and visible in the last few years, with the emphasis turning to multiagency operations against drug smugglers at specific times and in geographical regions where the threat is determined to be greatest. However, the interdiction of drugs at our borders only addresses a small portion of the drug problem in the United States. Experience has shown total coverage of the United States border against intrusion by drug smugglers is not practically possible. The commitment of millions of dollars in hardware may disrupt trafficking patterns, but will only create a temporary obstacle to trafficking organizations. Seizing the drugs and arresting low-level transporters has a minimal, long-term impact when the producers, distributors and managers of the organizations are not identified and prosecuted. The complete range of law enforcement and intelligence community assets should be fully utilized. A balance should be sought among interdiction efforts, intelligence collection, and domestic and foreign investigations. The intelligence collected from investigations in the United States and overseas can effectively focus interdiction efforts, and the intelligence gained from interdiction seizures should be pursued by investigative agencies.

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[1] National and International Drug Law Enforcement, National Drug Enforcement Policy Board, pp. 81-100.

As the lead agency for the interdiction of drugs and apprehending drug smugglers at and between United States ports of entry, the United States Customs Service has developed land, air, and maritime interdiction programs based on drug-specific and geographic assessments. In connection with their authorization to establish a Tactical Operations Center in Houston, Texas, as part of a C3I network, the United States Customs Service contacted the FBI by letter in late September 1986 and requested copies of a computer software package. United States Customs Service requested this software to be used in their Tactical Operations Center, Houston, Texas, to support Operation Alliance, a coordinated, multiagency effort against drug smuggling along the southwest border of the United States. We were unable to honor United States Customs Service's request in view of the fact that the software was still in a developmental phase and limited FBI resources precluded us from maintaining evolving software at multiple sites. We did furnish this software and state of art hardware to EPIC where it is available to the Customs Service.

The FBI and the United States Customs Service each have an intelligence program devoted to drug law enforcement, and these programs serve each agency's particular tactical, operational, and strategical intelligence needs in support of interdiction and/or investigative programs. The definitions of tactical, operational, and strategic intelligence as outlined in the National and International Drug Law Enforcement Strategy of the National Drug Enforcement Policy Board are as follows: (1) strategic intelligence is evaluated information on broad patterns and trends to be used by policy planners and management decision makers; (2) tactical intelligence is actionable information on the current or imminent location and movement of particular smuggling targets, and requires a near-term law enforcement response to effect arrest and seizure; and (3) operational intelligence, a term used by drug investigative agencies, refers to information gathered to provide analytical support to the investigation and prosecution process.

Responding to the complex and changing problems of international drug trafficking requires improved coordination, both within the intelligence structure and between the intelligence organizations and their law enforcement counterparts. In this regard, the establishment of the United States Customs Service regional command, control and communications (C3I) and intelligence centers is intended to provide tactical coordination for interdiction efforts. These centers will have some tactical intelligence collection capabilities through links to various fixed and mobile sensors, but they will also continue to be principal users of intelligence from EPIC.

The El Paso Intelligence Center (EPIC) was established in 1974 to support drug interdiction operations along the southwestern border of the United States with tactical intelligence. Since 1974, EPIC has developed into a fully functioning, coordinated intelligence system supported by the respective data bases and personnel from nine Federal agencies. State and local law enforcement agencies from all fifty states have access to EPIC. The primary objective of EPIC is to provide a complete and accurate intelligence picture of drug movement by land, sea, and air throughout the world.

The FBI currently has a Supervisory Special Agent Program Coordinator, two Intelligence Research Specialists assigned to the Analysis Section, and two Communications Operators working in the Communications Center. Further, the FBI has two computer systems which EPIC utilizes. The National Crime Information Center (NCIC) terminal, located at EPIC, is utilized by Watch Operations personnel. The NCIC which is managed and maintained by the FBI provides criminal history information on subjects as well as the confirmation of wants/warrants on subjects and current data on stolen property, automobiles, aircraft, and weapons. The Organized Crime Information System (OCIS) is available to EPIC through the FBI Field Division in El Paso. The FBI Program Coordinator ensures that OCIS checks are processed through the OCIS analyst at the FBI Field Office.

The FBI views tactical coordination for regional interdiction efforts as a potentially important cog in the overall Federal drug trafficking strategy. Specifically the utilization of regional C3I centers can add a useful investigative dimension to FBI drug investigations throughout the United States in two ways. First, when FBI field offices develop information concerning drug movements, this information can be passed to EPIC and thereafter to C3I centers in order for the conveyances to be intercepted and drugs seized. Conversely, in certain situations it may be beneficial to allow the conveyance to enter the United States in order to identify previously unknown co-conspirators. Close coordination with C3I centers through EPIC will assist FBI field managers in effectively and economically deploying resources in furtherance of a particular investigation of a drug organization.

Additionally, these C3I regional centers will likely evolve as principal users of intelligence from EPIC, serving to coordinate the detection, interception, tracking and apprehension of drug smugglers. Since the FBI is a participant in EPIC, we will receive the benefit of the United States Customs Service's information when they conduct inquiries of EPIC's data base and discover our investigative interest in a drug organization.

Since EPIC possesses no tasking capabilities to command resources to engage in interdiction efforts, these C3I centers can provide the United States Customs Service and the United States Coast Guard with visual display data and correlation of intelligence and real-time radar tracking of smuggler targets operating in an area where the FBI has an investigative interest. Using this data, the United States Customs Service and the United States Coast Guard can coordinate case strategy with the FBI field office and provide vectoring instructions and command decisions to their operating land, sea and air resources for the interdiction action desired. It is also the FBI's view that the C3I centers will, upon learning of an ongoing investigative interest from law enforcement agencies, enhance multiagency coordination of interdiction efforts in the pursuit of drug traffickers and their organizations.

I would like to cite one recent case as an example of the benefit of multiagency cooperation with the United States Customs Service and the United States Coast Guard which resulted in a very successful interdiction:

SANDSHARK

Sandshark was the code name of a major Organized Crime Drug Enforcement Task Force (OCDETF) investigation in Tampa, Florida, that concerned a drug smuggling organization which regularly imported multikilogram quantities of cocaine and marijuana into the United States from Central and South America. During early September 1985, this investigation uncovered plans for a scheduled delivery of 165,000 pounds of marijuana. A lookout containing all known descriptive information on the vessels involved and projected arrival times was furnished to EPIC. On October 4, 1985, the United States Coast Guard located and interdicted these vessels off Cape Hatteras, North Carolina. Approximately 165,000 pounds of marijuana was seized.

The efforts of the United States Coast Guard were fully coordinated and enhanced the ongoing OCDETF investigation. To date, 42 individuals have been indicted in Tampa, and a total of 32 have been convicted. More than 50 other indictments have occurred throughout other parts of the United States regarding this case. Further indictments, arrests, and seizures are anticipated.

Before discussing how the United States Customs Service C3I program would best be integrated into the proposed development of an All Source Intelligence Center, I would like to inform the Subcommittee of the FBI's proposal for an All Source Intelligence Center. The concept envisions a national center located in the Washington, D.C., area for the collection, analysis, and dissemination of strategic intelligence concerning domestic drug investigations and foreign counter-drug efforts. The architecture of the All Source Intelligence Center will be such that full use of intelligence gathered by the Intelligence Community will be integrated with related law enforcement data and collated to provide a comprehensive analysis of world, regional and national drug related intelligence. The All Source Intelligence Center will be responsible for developing strategic intelligence which will enable the national decision makers andparticipating agencies to develop and implement long-range strategic plans for counter-drug efforts. In this context, the participating agencies will provide the All Source Intelligence Center with their intelligence requirements. The All Source Intelligence Center will, in turn, develop data collection requirements for participating agencies. Upon receipt of intelligence, the All Source Intelligence Center will perform the required analysis and distribute the finished intelligence to participating agencies on a validated need-to-know basis that will assist them in the formation of drug policy and to allocate resources to effectuate that policy.

Accordingly, the United States Customs Service C3I regional centers would become a contributor of data and user of finished strategic intelligence from the All Source Intelligence Center and thus, the missions and operations of EPIC and ASIC will not be duplicative. This information will assist the United States Customs Service and other agencies in the deployment of their resources in response to changing drug trafficking patterns. This will place the United States Customs Service in a position to provide priority tactical coordination for interdiction consistent with overall goals of the National and International Drug Law Enforcement Strategy. The FBI's proposal for the All Source Intelligence Center has been referred to the Intelligence Subcommittee of the National Drug Enforcement Policy Board for further study and integration into an overall intelligence plan.

Mr. Chairman, I want to thank-you for allowing me to address this Subcommittee on such an important issue as the coordination of our drug enforcement efforts with the United States Customs Service as it relates to their C3I proposal and the development of the All Source Intelligence Center. The key to an effective national interdiction effort is the dynamic coordination and blend of intelligence, interdiction, and investigative activity as facets of the fight against drug trafficking. Through international and multiagency interdiction operations, the United States will continue to foster cooperation with key foreign governments in combating international drug trafficking.

ADDITIONAL QUESTIONS/ANSWERS FOR HEARING RECORD

Honorable Oliver B. Revell
Federal Bureau of Investigation

QUESTION

Is the OCIS procedure of entering into NADDIS being done in a routine and timely matter?

ANSWER

The FBI's Organized Crime Information System (OCIS) is an "in-house" computerized system which collects, collates, analyzes, and disseminates investigative information relative to organized crime matters. OCIS complements the FBI's Organized Crime and Drug Programs in its overall investigative efforts by playing an integral role to determine the interrelationships among drug cartels and organized crime groups. Conversely, DEA's Narcotic and Dangerous Drugs Information System (NADDIS) is their primary computerized system for indexing suspects and investigative leads appearing in hard copy and electronic reports. NADDIS provides every user with a single, complete, and accurate index and further provides the user with the information it needs to request copies of documentation or to establish telephonic contact with another DEA office or agency relative to an individual of mutual interest.

Information is entered into OCIS by any one of 40 selected FBI field offices. Information entered is obtained from FBI investigative files after receiving supervisory review and approval.

Since 1982, the FBI has promoted the full, timely exchange of drug information with other law enforcement agencies. Special Agents were assigned liaison responsibilities to DEA in each field office. To further enhance drug information exchange, joint guidelines were issued by FBIHQ and DEAHQ in late August 1986. At that time, FBI field offices began to submit reports within five days of the initiation of a drug investigation to the corresponding DEA field office. These reports are then submitted to DEAHQ for NADDIS indexing.

The DEA enters information into NADDIS at DEA Headquarters. Data entered into NADDIS is from DEA investigative files and includes information submitted from international and national sources.

DEA does not directly enter data into the FBI's OCIS. Information obtained from DEA that is recorded in FBI files, may, upon supervisory review and approval, be selected for entry into OCIS.

The FBI's OCIS and the DEA's NADDIS are each computerized systems that serve each agencies' particular needs concerning drug trafficking and organized crime; however, there is no electronic or computer interface between these systems.

QUESTION

Why does the FBI not have a better system for EPIC to check smuggling suspects against FBI's pending or closed drug investigative files?

ANSWER

When EPIC is tasked to check its records for an inquiring agency, four data bases are queried. Computer checks are made of NADDIS, Treasury Enforcement Communications System, Pathfinder and the in-house Intelligence Terminal. The identities of all drug subjects in FBI investigations is furnished to DEA for entry into NADDIS. Therefore, there is no need for a separate "system" for EPIC to check smuggling suspects against our investigative files. In the routine situation EPIC advises inquiring agencies of our investigative interests through a check of the NADDIS. EPIC advises the inquiring agency to contact the appropriate FBI field office for further details. If EPIC routinely conducted a separate additional check of FBI Headquarters and all FBI field offices' investigative files against drug smugglers, it would be duplicative, inefficient, and costly.

QUESTION

Does the FBI plan to routinely provide OCIS data on drug investigations to the planned Customs C-3I network?

ANSWER

No. The primary purpose of the Customs C-3I network is to provide tactical coordination to enhance multiagency interdiction efforts in the pursuit of drug traffickers and their organizations. The FBI's OCIS is an "in-house" computerized system which collects, collates, analyzes and disseminates investigative information relative to organized crime matters. OCIS complements the FBI's Organized Crime and Drug Programs in its overall investigative efforts by playing an integral role to determine the interrelationships among narcotics cartels and organized crime groups.

The FBI would provide the necessary data gathered from investigations to C-3I centers in two ways. First, when FBI field offices develop information concerning drug movements, this information can be passed to C-3I centers in order for the conveyances to be intercepted and seized. Conversely, in certain situations it may be beneficial to allow the conveyance to enter the United States in order to identify previously unknown co-conspirators.

QUESTION

What percentage of the total drug investigations currently being worked by the FBI and the DEA are credited to the FBI?

ANSWER

As of March 1, 1987, there were 659 joint drug investigations being conducted by the FBI and DEA. Decisions to conduct joint investigations are made on a case-by-case basis by each agency, and statistics are not maintained that represent which agency originated each joint investigation.

QUESTION

Could you provide to the Subcommittee the percentage of subjects from drug investigations worked solely by the FBI that are included as of today, in the NADDIS computer and thus available to EPIC users?

ANSWER

Since 1982, the FBI has submitted descriptive information concerning all subjects of FBI drug investigations to DEA Headquarters. This procedure was recently modified to allow greater coordination on a field office to field office level. Beginning in late August 1986, FBI field offices began to submit correspondence within five working days after the initiation of all drug investigations to the corresponding DEA field office for NADDIS indexing. The correspondence includes descriptive information of each subject; type of drugs involved; brief synopsis of the case; and contact FBI supervisor. During the course of pending investigations, field offices keep the corresponding DEA field office apprised of the identities of additional subjects developed and significant progress in the investigation. FBI field supervisors determine during regularly scheduled file reviews that all pertinent information has been exchanged and that the exchange is documented.

Through NADDIS, this information on drug investigations worked solely by the FBI is available to EPIC users consistent with existing operational procedures.

QUESTION

In your view, which agency would be best suited to administer the All-Source Intelligence Center that the FBI is proposing?

ANSWER

The All Source Intelligence Center (ASIC) option which has been presented to the Attorney General calls for the FBI to take the lead in planning, developing, and establishing an ASIC structured as a national center in the Washington, D.C., area for the collection, analysis, and dissemination of strategic and operational intelligence concerning domestic drug enforcement and foreign counternarcotics efforts. Although not formalized, the management and operation of the FBI-proposed ASIC will be shared by participating agencies. It is anticipated that DEA's experience in running the El Paso Intelligence Center (EPIC) will be invaluable to the success of the proposed ASIC. No agency has been selected to administer the ASIC. As the ASIC is developed, the authority for the expenditure of funds will be required and authority to administer the ASIC will be obtained by Attorney General designation. It is the view of the FBI that the designation of DEA as administrator of the ASIC would be appropriate.

QUESTION

My understanding is that the bulk of strategic intelligence is now already collected through DEA which has drug agents stationed in the drug producing countries. Do you agree? If that is true, why do we need the proposed ASIC?

ANSWER

The strategic intelligence that is needed by policy planners and management decision-makers to make resource decisions and legislative recommendations is evaluated information relating to broad patterns and trends. The information which comprises the evaluated product known as strategic intelligence is provided by the collective efforts of the drug law enforcement agencies, the intelligence community, and agencies having national drug program responsibilities. The proposed ASIC will consolidate interagency efforts in order to provide a national center which will produce an enhanced intelligence product. The fusion of information developed by DEA in foreign counter-drug efforts, with the information developed by FBI resources and expertise focused on domestic investigations, with the information produced by DEA and the intelligence community on foreign drug production and trafficking, with the contributions of the Department of State in its responsibilities for international drug control, will produce a strategic intelligence product which is superior to a singular individual effort.

QUESTION

Would ASIC merely utilize the DEA intelligence operation or would it duplicate the collection capability now already in place at DEA in order to obtain strategic intelligence?

ANSWER

The FBI proposes to establish an ASIC as a national strategic intelligence center with a worldwide span of interest on illegal drug matters. The architecture of ASIC will be such that full use of appropriate intelligence gathered and provided by the DEA and the National Security Agency, the Central Intelligence Agency, the Defense Intelligence Agency, and other members of the Intelligence Community (IC) will be integrated with related law enforcement data and collated to provide a complete picture. ASIC security features will be identical to those implemented by the FBI to protect National Security information. Accordingly, the protection of sources and methods will be afforded high priority.

The ASIC will be charged with developing strategic intelligence which will enable participating agencies to develop and implement long-range and strategic plans for counternarcotics forces. In this context, the participating agencies will provide the ASIC with their intelligence requirements. The ASIC will, in turn, develop data collection requirements for participating agencies. Upon receipt of the data, the ASIC will perform the required analysis and distribute the finished intelligence to the participating agencies on a validated need-to-know basis.

Thus, the proposed ASIC will not duplicate the strategic intelligence functions of DEA, but rather make full use of their contributions together with the contributions of the other members of the intelligence and law enforcement community, to produce a composite overview in support of the full range of drug enforcement efforts.

QUESTION

What will the proposed All Source Intelligence Center do that is not already being done by our other intelligence centers?

ANSWER

ASIC is an envisioned concept that proposes that it be structured as a national center in the Washington, D.C., area for the collection, analysis, and dissemination of strategic and operational intelligence concerning domestic drug enforcement and foreign counternarcotics. Strategic intelligence is evaluated information on broad patterns and trends to be used by policy planners and management decision makers. Operational intelligence is a term used by drug investigative agencies, refers to information gathered to provide analytical support to the investigation and prosecution process. ASIC is a centralized system which would employ the combined resources of the law enforcement and intelligence communities. The blend of information is unique and the strategic and operational intelligence produced by the ASIC will assist policy planners and management decision makers in determining national drug intelligence priorities; in preparing intelligence plans; in coordinating intelligence gathering tasks; in policing the quality and consistency of intelligence reporting; and in the dissemination of intelligence to all appropriate users.

Conversely, the El Paso Intelligence Center (EPIC) and, to a lesser extent, the United States Customs Service's (USCS) national C3I centers are dedicated to collecting, analyzing, and disseminating tactical intelligence. Tactical intelligence is actionable information on the current or imminent location and movement of particular smuggling targets and requires a near-term law enforcement response to effect arrest and seizure. Whereas EPIC and C3I centers focus on a one dimensional mission disseminating tactical intelligence for drug interdiction purposes, ASIC would produce a composite overview in support of strategic and drug law enforcement efforts.

QUESTION

I understand that NNBIS currently acts as an intelligence center in collecting and sanitizing information from defense and intelligence agencies. Will the NNBIS function be duplicated by either the planned Customs C-3I Center or the proposed All Source Intelligence Center?

ANSWER

The National Narcotics Border Interdiction System (NNBIS) is a management system designed to coordinate the multi-agency efforts of the drug law enforcement agencies to call on those Federal, state, and local resources that will improve the effectiveness and efficiency of drug interdiction efforts. NNBIS' primary objectives are to enhance interagency coordination and cooperation; increase the contributions of the Department of Defense and the military services in the effort against drugs; increase national intelligence community support; and coordinate international interdiction efforts with United States agency efforts. The ASIC recommendation proposes a national center in the Washington, D.C., area for the collection, analysis, and dissemination of strategic and operational intelligence concerning domestic drug enforcement and foreign counternarcotics. ASIC is a centralized system which would employ the combined resources of the law enforcement and intelligence communities to determine national drug intelligence priorities; prepare intelligence plans; coordinate intelligence gathering tasks; police the quality and consistency of intelligence reporting; and disseminate intelligence to all appropriate users.

The Customs C3I centers are regional in nature and coordinate tactical interdiction of smuggler targets operating in the immediate vicinity of the United States border. The C3I centers provide Customs and the United States Coast Guard with visual display and correlation of intelligence and real-time radar tracking. Using this data they provide vectoring instructions and command decisions to their operating land, sea, and air assets for interdiction action.

Under the ASIC concept proposed by the FBI, NNBIS interdiction intelligence collection would be subsumed into EPIC. As presently structured, there is some overlap in the Customs C3I centers and NNBIS. However the C3I centers are regional in nature focusing on a one dimensional mission of collecting, analyzing, and disseminating tactical intelligence for drug interdiction purposes only.

QUESTION

Customs has told our staff that they plan to have 44 intelligence positions in their C-3I, do you know what Customs plans to use these people for?

ANSWER

The FBI is not aware of the plans Customs Service has for the people in the 44 intelligence positions in their C-3I centers.

QUESTION

How is the tactical intelligence developed during FBI investigations distributed to Customs?

ANSWER

Tactical intelligence developed during FBI investigations is distributed to Customs in two ways. First, when FBI field offices develop information concerning drug movements, the intelligence is telephonically or personally transmitted on a case-by-case basis to a corresponding Customs field office.

Secondly, tactical intelligence is telephoned and/or teletyped to EPIC to be entered into the Treasury Enforcement Communication System at EPIC. In situations which require immediate response, FBI field offices telephonically contact FBI EPIC personnel who coordinate through the Special Operations Watch to promptly notify the appropriate Customs interdiction personnel.

QUESTION

Do you know of any reason why Customs would need the ability to process classified information?

ANSWER

Processing, as defined by the Intelligence Community, is a step in the intelligence cycle concerned with the conversion of the vast amount of information coming into the system to a form more suitable for the production of finished intelligence, such as language translations and decryption. Processing also refers to data reduction and/or interpretation of information stored on file and tape.

The United States Customs Service (USCS) is responsible for examining persons, carriers, cargo, currency, and mail that pass in and out of the United States. As the primary defense along our borders for detecting and intercepting drugs being smuggled into the country, the USCS conducts inspection and air and marine interdiction programs. USCS also investigates money laundering activities, and has primary jurisdiction for the enforcement of laws concerning the illegal transportation of currency or monetary instruments in excess of $10,000 into or out of the country. USCS also works closely with DEA in joint drug investigations made possible by granting Title 21 authority to selected USCS personnel.

As the lead agency for the interdiction of drugs and apprehending drug smugglers at and between United States ports of entry, the USCS has developed land, air, and maritime interdiction programs based on drug-specific and geographic assessments. To the extent that it is relevant to successfully fulfilling its mission, the USCS would need the ability to process classified information. USCS can utilize specific classified tactical intelligence from the Intelligence Community (IC) for real time response and interception of conveyances. For example, intelligence supplied by an IC agency concerning the movement of aircraft transporting cocaine from South America would enable USCS to prepare their interdiction resources to effect the seizure of the aircraft. By processing the classified tactical information supplied by the IC agency, USCS could narrow the vast amount of information concerning the drug movements from South America into a finished tactical intelligence product that would increase the efficiency and effectiveness of their attempts to seize the conveyance.

PREPARED STATEMENT OF THOMAS G. BYRNE

I am pleased to appear before you today to discuss the role of the Drug Enforcement Administration and specifically the El Paso Intelligence Center in the development of tactical intelligence and the process in which that intelligence is shared with the law enforcement community. I am prepared to discuss the coordination which has taken place between DEA and the U.S. Customs Service relative to that agency's development of C3I centers.

As a result of Reorganization Plan #2 of 1973, DEA was created to be the lead U.S. agency for drug law enforcement. DEA was also charged with the responsibility to provide intelligence data to interdiction agencies as well as to other Federal and state and local enforcement agencies. The interdiction agencies are primarily the U.S. Customs Service and the U.S. Coast Guard. Over the ensuing fourteen years, DEA has closely coordinated with these agencies regarding their intelligence needs and the methods by which we can provide authoritative intelligence to them in a usable and timely manner. This coordination cannot be categorized in terms of the number of meetings held between our agencies or in numbers of memoranda of understanding. Rather it is more accurate to describe the coordinative process as being a constant and continuing dialog. The development of intelligence, both tactical and strategic, is a priority mission of DEA personnel throughout the U.S. as well as around the world. The focus of our tactical intelligence collection and sharing efforts is the El Paso Intelligence Center.

The El Paso Intelligence Center (EPIC) was established in El Paso Texas, in 1974 by the Drug Enforcement Administration (DEA) and the Immigration and Naturalization Service (INS). The original purpose was to provide enforcement and interdiction agencies with intelligence to assist in halting the flow of illegal drugs and aliens from Mexico. From this rather limited focus, the mission of the Center has been expanded over the ensuing 13 years to encompass a vast range of tactical intelligence capabilities, all designed to provide the most current information to law enforcement personnel. This paper will trace this development of the Center and outline its present capabilities and future plans.

The original southwest border focus of the Center reflected the mid-seventies' concern with the growing problem of heroin and marijuana production in Mexico. As the initial success of the first Mexican poppy/marijuana eradication campaign began to be felt, marijuana production shifted to Colombia while bumper crops of southwest and southeast Asian heroin replaced the dominant Mexican brown. At the same time, in the mid to late seventies, a number of other Federal agencies with a law enforcement mission joined EPIC. Full participation is now shared by the following agencies:

Drug Enforcement Administration (DEA)
Immigration & Naturalization Service (INS)
United States Customs Service (USCS)
United States Coast Guard (USCG)
Federal Aviation Administration (FAA)

United States Marshals Service (USMS)

Bureau of Alcohol, Tobacco and Firearms (ATF)

Internal Revenue Service (IRS)

Federal Bureau of Investigation (FBI)

Secret Service (SS)

In addition, several other Federal agencies maintain a limited presence, allowing access to data for their participation requirements. At the same time, DEA/EPIC signed a series of bi-lateral intelligence exchange agreements with all fifty states, the District of Colombia, Guam, Puerto Rico, and the U.S. Virgin Islands. These agreements permit designated individuals in each state's drug investigative agency, generally the state police, to make inquiries to EPIC. In addition, these states have agreed to provide to EPIC data on investigations of Federal level violators in their jurisdictions. EPIC has access to all of these agencies in the National Law Enforcement Telecommunications System (NLETS) as well as by telephone in tactical situations. This link provides a primary avenue for the storing and coordination of drug intelligence between the Federal and state agencies. This function is of increasing importance as even relatively modest drug trafficking groups cross jurisdictional lines to acquire and distribute narcotics contraband.

As the various Federal agencies joined EPIC, their affiliation provided direct access to the major law enforcement lookout systems. These systems are operated to alert investigation and interdiction personnel of the suspect or wanted status of a particular target. The systems target persons (USCS and INS), aircraft (FAA and USCS), ships (USCG and USCS) and vehicles (USCS and I&NS) which are suspected of moving contraband. The lookout systems are particularly effective in targeting international movement. This resulted in a broadening of EPIC's focus beyond the localized Mexico/U.S. border to all international trafficking destined for the U.S.

This expansion of capability has resulted in a very substantial enlargement of EPIC's data bases and inquiry levels. EPIC transactions, which include requests for investigative intelligence, lookouts, and research assistance, increased 92% from Fiscal 1982 (189,692) to Fiscal 1986 (363,580). At the same time, the data bases to support this growth grew significantly. By the way of example, there are now in excess of 24,000 aircraft identified in the Suspect Aircraft file and 20,000 vessels in the Suspect Vessel file. These are, in turn, only two of a growing number of automated files which permit very rapid collection, analysis, and retrieval of current drug intelligence reporting.

The Center consists of two primary sections: Watch Operations, which is a 24-hour per day, 7 days a week activity; and, the Analysis Section, which operates during normal duty hours, Monday through Friday. EPIC's Watch is manned by agents and officers of the participating Federal agencies. The primary purpose of the Watch is to service field agents' needs for round-the-clock intelligence support. This support is rendered through three basic mechanisms: Performing records checks of the various data bases available at EPIC; disseminating time sensitive, tactical intelligence; and, placing lookouts. At the same time EPIC provides such agencies as the Coast Guard and Customs with literally thousands of pieces of intelligence collected through DEA's overseas and domestic investigative and intelligence initiatives, and through specialized air and maritime collection programs within the Center itself. Continuing enhancements and expansions of the various EPIC programs, such as the photographic intelligence program presently being implemented, portend even greater benefit for the tactical drug intelligence users.

The EPIC Analysis Section offers a full range of research, analytical, and data retrieval services for user agencies. EPIC's Charter provides for monitoring the movement of drugs, aliens and firearms. In fact, the emphasis has been on the international movement of these commodities. This emphasis is reflected in the various lookout programs established through EPIC and operated by the Watch Section. The focus of the Analysis Section closely follows this international orientation and, in this sense, is ideally suited to tactical support of law enforcement interdiction missions.

The Section is organized around transportation methods; and presently comprises and Air Intelligence Unit (AIU), Maritime Intelligence Unit (MIU), and a General Intelligence Unit (GIU). The AIU is concerned primarily with general aviation aircraft and their utilization to smuggle drugs. The MIU is concerned with the movement of bulk quantities of drugs by ocean vessels, both commercial and private. The GIU is responsible for all programs targeted on individuals/couriers. These include a commercial air program targeted on international drug movement by couriers aboard scheduled airlines, and the overland movement of drugs and other contraband from Mexico and Canada into the United States. A fourth, Tactical Support Unit (TSU) performs specialized intelligence analysis of multiple agency data collected through highly sensitive methods.

The Analysis Section provides a variety of services to EPIC member agencies. These fall primarily into two categories: finished intelligence products, including publications; and special operations support. EPIC's publications include the Brief, which is a bi-weekly compilation of recent case developments which include either major seizures or useful intelligence. This product is distributed to over 1200 Federal and state addresses.

EPIC's Special Reports are also developed in the Analysis Section. These publications in turn fall into two categories. The first includes organization profiles which provide in-depth research material on violator organizations and networks. These publications are intended for use at the working level and, in fact, have been used successfully by Assistant U.S. Attorneys in grand jury presentations while seeking indictments. The remaining Special Reports examine developing law enforcement problems.

Examples of these would include the role of general aviation aircraft thefts in drug smuggling or the threat posed to law enforcement activities by electronic communications intercepts. The Analysis Section also prepares a variety of educational and background type publications intended to assist investigators in aircraft and vessel identification.

In the area of special operations support, the Analysis Section provides pre-operational interdiction planning and targeting based on the most recent intelligence, assistance in the preparation of the operational plan, direct intelligence support on a real-time basis during the operation, and finally, a post-operational summation and evaluation. This capability has been employed successfully in a number of air and maritime interdiction operations and is, in fact, currently being utilized in a major drug interdiction program in the Caribbean and intensified enforcement program along the Mexican border.

The Operations Section is responsible for the overall management of EPIC's continuous, 24 hour-a-day tactical and special operations intelligence support as it relates to the domestic and international movement of drugs, aliens, and weapons. Operations directs all phases of the day to day functions of the Watch, Special Operations, Immigration and Naturalization Services Integrated Combined system Unit and the Communications Center.

The front line of Operations is the EPIC Watch. The primary mission of the Watch is to ensure that appropriate assistance is provided on a real-time basis to all participating Federal and member state law enforcement agencies. The Watch supports anti-air, land and sea smuggling programs and investigative activities on a world-wide basis. All available resources are utilized by the Watch to identify drug, alien and weapon related information by subject, aircraft, vessel or vehicle. All reported or obtained intelligence is then distributed on a real-time basis to participating agencies, as appropriate, or to the investigative elements requesting the information. The Watch prepares initial documentation containing pertinent information for data base input based on information received through inquiries or requests for lookout placement. Incoming raw intelligence from field enforcement elements is continually reviewed and properly documented by Watch personnel in order to insure the information is correct.

Comprehensive record systems of other agency referrals are also maintained by the Watch. Within the strict confines of the intelligence process the Watch is able to provide information to support "probable cause" for search and seizure requests to the vast network of participating and member agencies. It actively supports the U.S. Marshals Service fugitive lookout system and the fugitive coordination program of the Drug Enforcement Administration.

Since its inception in 1976 the Watch has effectively supported, and will continue to serve, the intelligence requirements of those interdictory agencies targeted on the apprehension of drugs, alien and weapon traffickers both foreign and domestic.

The INS Integrated Combined Systems Unit has access to six Immigration Data Base Information Systems, Operational Activities Special Information System (OASIS), Central Index System (CIS), Non-Immigrant Information System (NIIS), Student/School System (ST/SC), The National Automated Immigration Lookout System (NAILS), and Fraudulent Document Index System (FDIS). This unit is staffed by well trained personnel of the Immigration Service and is available during regular working hours to process Documents, Central Index Information System, Non-Immigrant Information System and the Student School System. Information requests received after normal working hours are handled by Watch personnel.

The Communications Center is capable of providing instantaneous electronic communications with all levels of domestic and overseas law enforcement activities. It continually operates a secure system of teletypewriter and facsimile communications among foreign and domestic DEA offices and other interagency locations. The Communications Center also maintains appropriate liaison with other government agencies to assure optimum utilization and security of telecommunications systems. It additionally insures that established procedures are followed to assure adherence to National Security Agency communications requirements.

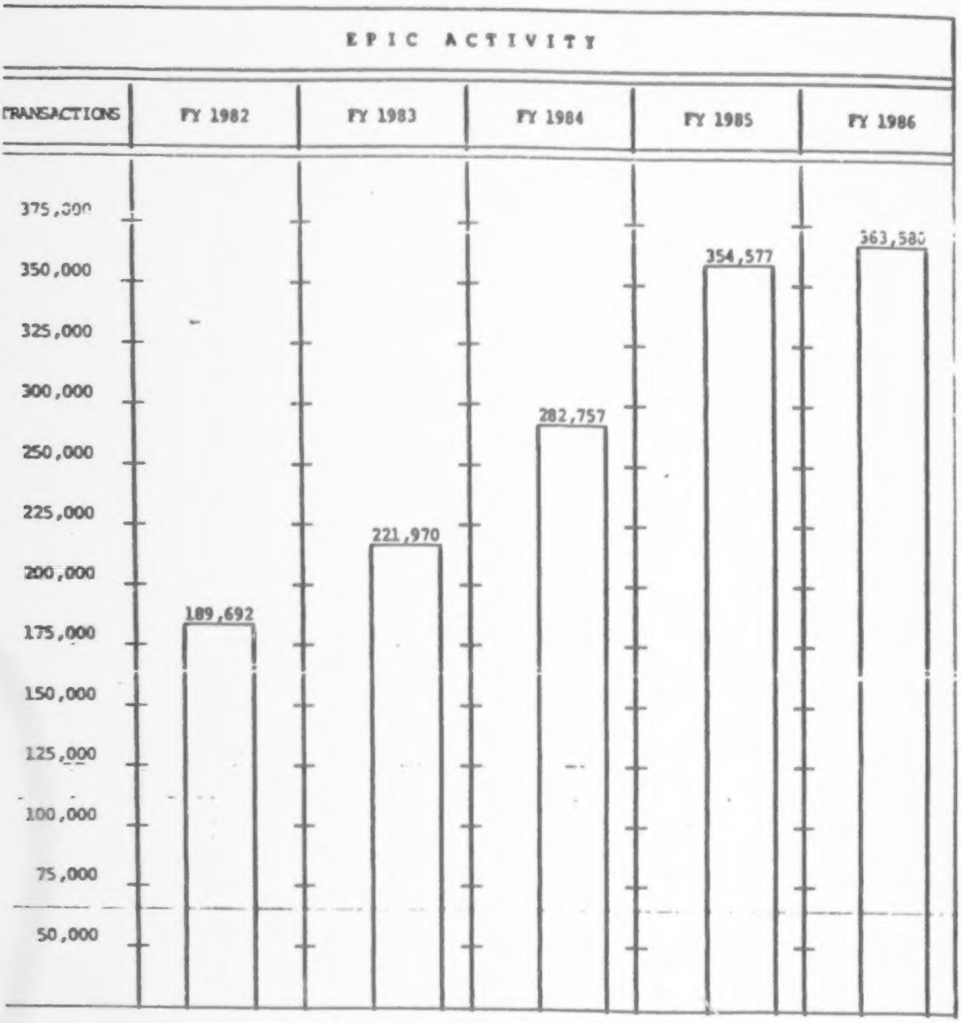
The communications equipment at EPIC includes teletype machines capable of transmitting and receiving data on the Texas Law Enforcement Teletype System (TLETS); the Treasury Enforcement Communications System (TECS); the U.S. Department of Justice Telecommunications System (JUST); the

Drug Enforcement Administration's Secure Teletypewriter System; the Federal Bureau of Investigation's Secure Telecommunications System (SAMNET); the Federal Aviation Administration's Data Communications (Service B); and a direct teletypewriter link to the U.S. Coast Guard Communications Center located in Long Beach, California.

In order to improve management and control of the large volumes of data, EPIC embarked on a major initiative to automate the daily message traffic. To this end the Text Analysis System (TEXAS) has been developed and is nearing completion. Ultimately the system will provide automated message handling and full text retrieval.

From this brief outline and description of the tactical intelligence center in El Paso, you can see that the unique blend of intelligence professionals and law enforcement agents from the several agencies, supported by a steady flow of current criminal intelligence, makes EPIC a valuable tool for user agencies, particularly those engaged in interdiction matters.

Thirteen years of interagency cooperation have produced a unified tactical intelligence center, the duplication of which is neither justifiable or possible. EPIC was a unique concept in 1974 and is a unique reality today.



ATTACHMENT A

EPIC STATISTICS

FY-86

	INQUIRIES											SPECIAL PROGRAMS			
	DEA	I&NS	USCS	USCG	ATF	FAA	USMS	FBI	IRS	STATE/ LOCAL	OTHERS	OP TIGRE	OP COCHINO	VSL SIGHTS	GRAND TOTALS
Persons	16,321	2,716	10,568	7,281	11,089	257	1,863	8,787	7,050	8,849	512				75,293
Pilots & A/C	4,732	140	3,595	157	71	1,093	81	329	266	1,222	102	85,454			93,777
Vessels	15,300	30	2,234	12,501	77		15	74	65	143	139		48,038	69,517	148,153
Vehicle Reg.	813	141	122	20	8	14	47	137	11	672					1,985
A/C Arrivals	4	46	4				5		1	3					63
Fraud Docs.	515	9,605	461		349		6	465	21	124	2,065				13,611
Smug. Index	15	16,169	39	6	15	1	8	10	23		329				16,615
TOTAL CHECKS	37,700	20,847	17,023	19,965	11,609	1,365	2,025	9,802	7,437	11,013	3,167	85,454	48,038	69,517	352,962
LOOKOUT RECORDS															
IECS	4,332	29	1,538	495	20		48	142	30	83					6,737
I&NS	1,053	9	15	2	8		795	25	10	4					1,921
USCG	552	3	365	169				7	5	3					1,104
FAA	337		464	5	4		3	11	2	30					856
TOTAL LOOKOUT RECORDS	6,274	41	2,402	671	32		846	185	47	120					10,618
TOTALS															
FY 86 TOTALS	43,974	28,888	19,425	20,636	11,641	1,365	2,871	9,987	7,484	11,133	3,167	85,454	48,038	69,517	363,580

ATTACHMENT B

EPIC ACTIVITY COMPARISON

TYPE OF ACTIVITY	FY 1982	FY 1983	FY 1984	FY 1985	FY 1986
NAME CHECKS	49,551	48,934	55,765	68,399	75,293
PILOT/AIRCRAFT CHECKS	34,143	36,555	78,604	87,186	93,777
VESSEL CHECKS	54,971	87,941	106,398	155,019	148,153
VEHICLE CHECKS	1,265	1,341	1,118	1,484	1,985
AIRCRAFT ARRIVAL CHECKS	3,501	1,974	1,202	464	63
FRAUDULENT DOCUMENTS	17,022	17,136	13,378	13,464	13,611
SMUGGLERS INDEX	17,642	17,555	15,250	16,376	16,615
TECS LOOKOUT RECORDS	7,050	6,256	6,767	7,658	6,737
I&NS LOOKOUT RECORDS	2,010	1,961	1,978	2,070	1,921
VESSEL LOOKOUT RECORDS	1,049	807	988	1,226	1,104
AIRCRAFT LOOKOUT RECORDS	1,488	1,510	1,309	1,231	856
MARSHALS LOOKOUT RECORDS	-	625	569	489	795

ATTACHMENT C

ADDITIONAL QUESTIONS & ANSWERS SUBMITTED FOR THE HEARING RECORD

THOMAS BYRNE - DEA

Q. If Customs or Coast Guard encounter a suspect at an off load site and contact EPIC, how does EPIC determine if that suspect is or has been subject of a DEA investigation?

Through a query of DEA's computerized Narcotics and Dangerous Drugs Information System (NADDIS). All of DEA's investigative reports are indexed in this system, and such things as names of suspects, vessels, autos and aircraft are retrievable.

Q. How long will the response take?

Depending on the urgency of the request, a response can be provided within seconds. Routinely, however, such requests are responded to within three to five minutes.

Q. The FBI is also a primary agency involved in Federal drug investigations. Would EPIC be able to advise the Customs or Coast Guard requester if the suspect has been or is currently subject of an FBI drug investigation?

Yes, assuming that such an investigation has been the subject of EPIC-FBI exchange, or that it is indexed in one of the systems to which EPIC has access.

Q. Does EPIC have computer terminal access to member agency files?

Yes, EPIC has access to computer files maintained by member agencies on guns, drugs and alien smuggling.

Q. Does EPIC have access to the FBI OCIS computer system?

Yes, but not within the Center itself. There is an OCIS terminal located within the FBI's El Paso Field Division which is available for use in servicing EPIC inquiries. The FBI Program Coordinator hand-carries all such inquiries to the FBI office, and responses are then hand-carried back to EPIC for transmission to the EPIC customer.

Q. How long does a routine check of OCIS through the El Paso FBI office take?

Normally such a check takes about a day. In certain instances an OCIS inquiry may take longer to process if the FBI's Program Coordinator is not on duty at the Center.

Q. Are current inquiries, such as those by Coast Guard or Customs from an off load site being queried against the FBI OCIS drug suspect files? If no, then why not?

No, they are not. The FBI originated information necessary to answer such an inquiry is indexed in DEA's NADDIS, and readily retrievable for customers such as Coast Guard or Customs. OCIS contains investigative information relating to a multitude of criminal activities, not just drugs. To protect sensitive investigations of non-drug matters, DEA and the FBI have proceduralized the input of FBI drug information into NADDIS on a timely basis.

Q. Is the OCIS procedure of entering into NADDIS being done in a routine and timely manner?

The procedure for ensuring that FBI investigations are indexed into DEA's NADDIS is designed to permit timely exchanges. Basically the procedure requires that all information necessary for input to NADDIS be submitted to DEA within five working days of the initiation of an investigation, and that DEA be provided with updates on the investigation.

Q. What is percentage of the total drug investigations currently being worked by the FBI and the DEA credited to the FBI?

As of the end of February, 1987, there was a total of 659 DEA-FBI cooperative cases. No records are kept in relation to which of the agencies originated each of the cases.

Q. In your view, which agency would be best suited to administer the All-Source Intelligence Center that the FBI is proposing?

If there is to be an All-Source Intelligence Center for strategic drug intelligence, DEA will be the agency most suited to administer it. DEA's drug intelligence focus and deployment of manpower is worldwide, placing DEA in a unique position to perform drug intelligence collection and strategic analysis for both the domestic and overseas arenas.

Q. My understanding is that the bulk of strategic intelligence is now already collected through DEA which has drug agents stationed in the drug producing countries. Do you agree? If that is true, why do we need the proposed ASIC?

I agree that the bulk of strategic drug intelligence which is now collected is, in fact, collected by DEA's agent force, both domestically and foreign. However, the FBI's proposed ASIC would expand the collection activities of the Intelligence Community and enhance the existing Strategic Intelligence function of the law enforcement agencies.

Q. Could you describe DEA's current strategic intelligence operation? How large is that operation?

DEA's current strategic intelligence operation is a Section-level function within the Office of Intelligence, and is made up of around 45 employees. The Section is engaged in a variety of tasks pertaining to the production of intelligence products for executive and policy level decision makers.

Q. What will the proposed All-Source Intelligence Center do that is not already being done by our other intelligence centers?

The proposed Center will represent an enhancement of DEA's current Strategic Intelligence Section. This enhancement will primarily result from more direct involvement by representatives of the Intelligence Community agencies and by relocating employees of other law enforcement agencies' strategic drug intelligence functions to the All-Source Center.

Q. I understand that NNBIS currently acts as an intelligence center in collecting and sanitizing information from defense and intelligence agencies. Will the NNBIS function be duplicated by either the planned Customs C-3I center or the proposed All-Source Intelligence Center?

There would not be a duplication of NNBIS functions in the proposed ASIC; however, if Customs performs such functions in C3I, there may in fact be some duplication on interdiction matters.

Q. Customs alleges delays in EPIC's handling of information, did you commission a poll of EPIC users and do you have the results of that poll?

Yes. The Special-Agent-in-Charge tasked his two deputies, one Coast Guard and one Customs, to perform such a study. Copies of the study responses are attached.

Q. Among those responses, did Customs complain about timeliness?

On the contrary, the study revealed no history of complaints by EPIC's Customs users regarding either timeliness or quality of service.

Q. How many intelligence positions does EPIC have?

EPIC has a complement of 170 total positions engaged in various activities such as the Watch and Analysis. There is a total of 45 persons assigned to Analysis, the majority of whom are professional Intelligence Research Specialists and the remainder Intelligence Aides. It is a multi-agency activity, as follows: one is from Coast Guard; two are FBI; seven are Customs; three are Immigration and Naturalization Service; one is Internal Revenue Service; one is U.S. Marshals; one is Bureau of Alcohol, Tobacco and Firearms; and the remainder from DEA.

Q. Customs has told our staff that they plan to have 44 intelligence positions in their C-3I, do you know what Customs plans to use these people for?

Customs has informed DEA that they plan utilize the intelligence positions to provide 7-day, 24-hour support to the C3 function of the three C3I centers.

Q. Does the DEA distribute investigative reports to EPIC when those reports contain tactical intelligence?

Yes, both electrical and hard-copy.

Q. Are these reports analyzed by EPIC staff? Does that staff include Customs analysts?

Yes, several Customs analysts are assigned to the integrated Intelligence Analysis Section at EPIC, and the Air Intelligence Unit is supervised by a Customs supervisor.

Q. Do the EPIC and Customs analysts place that information in Customs TECS computer system?

Yes, if investigative sensitivities do not preclude its dissemination. The vast majority of the TECS entries are made by professional law enforcement officers of the EPIC Watch, which operates around the clock.

Q. Are reports which are not forwarded to EPIC, examined for tactical intelligence?

Yes. A Customs employee reviews all reports received at DEA Headquarters, and extracts appropriate tactical items for release to Customs.

Q. The Customs Service has advised our staff that there is a need to locate a National C-3I center at Oklahoma City, because the Airman Certificate and Air Craft Registration

Record Repository is there. Does EPIC currently have access to those files from El Paso.

Yes, EPIC receives a monthly tape of all such data and loads it into their in-house computer. Final tests are presently underway to activate a terminal on the FAA's own computer system, and this will provide EPIC with a capability identical to the computer capability of FAA personnel in Oklahoma City.

Q. Does Customs also have that same capability?

Customs "loads" such data into their TECS system every 30 days, similar to the current EPIC procedure. Once loaded in TECS, the data are available to the various TECS system subscribers.

Q. Does EPIC have access to investigative information contained in the computerized filing system of the DEA?

Yes, EPIC is equipped with several terminals of DEA's computerized NADDIS.

Q. Does EPIC have secure facilities for the receipt and processing of classified information?

Yes, EPIC is equipped to, and does, handle Sensitive Compartmented Information (SCI) within their Secure Compartmented Information Facility (SCIF), and handles less sensitive classified data in their operating areas.

Q. Does NNBIS have that ability?

Yes, some NNBIS centers have capabilities roughly equivalent to those of EPIC.

Q. Do you know of any reason why Customs would need the ability to process classified information?

Yes, Customs has several missions, including drug interdiction, in which they will need to handle and utilize classified information. In fact, some of the intelligence which will be provided by EPIC to the C3I centers will be classified.

ATTACHMENT

ATTACHMENT

UNITED STATES GOVERNMENT
memorandum

November 12, 1986

Horace W. Cavitt, ADAC
El Paso Intelligence Center

Complaints of Lack of Timely Response by EPIC

Larry L. Oxton, SAC, EPIC

I am at a loss to explain or answer to the complaint of our responsive to EPIC user agencies on a real time basis. We currently process hundreds of transactions daily, 24-hours a day, 7-days a week with very few complaints on our lack of timely response.

I am not aware of being tasked by any agency for a product from our Analysis Section that was not responded to in a timely manner. At any time that we are told by a requesting agency that an immediate response is necessary from that section, we set aside our routine projects and assign whatever personnel are necessary to complete the task in the required time frame.

U.S. Customs Assistant Commissioner for Enforcement, William Rosenblatt, and the Director of Intelligence, William [illegible], have both been invited to visit EPIC at their first opportunity. Both have indicated that they would do so when their schedules permit. This visit is necessary so they can be briefed on the EPIC operation, EPIC capabilities, what we do, and how we do it. I believe that after these visits, most, if not all, of their questions about our response capability will be answered.

In answer to your question about the instances where we have failed to respond to any tasking for Section program support, I am not aware of a single instance where we have failed to respond.

As you are aware, U.S. Customs has a sizeable commitment at EPIC, with 23 Customs employees currently assigned here. The thought that we would not do everything in our power to support our parent agency, in fact all agencies we serve, is ridiculous.

Attached is an excellent memo prepared by the Chief of Operations that sets out in detail instances where we have received complaints, and the reasons for them. I totally concur with his recommendations and conclusions.

Enclosure

[illegible]

UNITED STATES GOVERNMENT
# memorandum

12 November 1986

CGLO

Timely response to queries

SAC

1. In response to your memo dated 5 Nov. 86 the following information is provided:

   a. Coast Guard queries first 11 months FY86 18,193. Approximately 56 calls/day.
   b. Lookouts placed same period 610.
   c. Other than routine requests for publications only one request for information has been recieved since my arrival.
   d. By my observation the average time for the watch to process a query is 5-12 minutes.
   e. Not counting the ASAC who will not be replaced when he retires CG manning includes 5 people. 1 CGLO, 1 Analyst, 3 watch officers.
   f. Only rarely is a problem refered to me and during the last 16 months I have handled only about 8 problems. Two of these resulted from a lack of field knowledge of EPIC capabilities and the rest from CG communications.

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

OPTIONAL FORM NO. 10
(REV. 7-76)
GSA FPMR (41 CFR) 101-11.6
5010-112

UNITED STATES GOVERNMENT

memorandum

DATE: 11 Novenver 1986

REPLY TO ATTN OF: CGLO EPIC

SUBJECT: Mr. Orton's memo dated 5 Nov 86

TO: Captain O'GRADY

1. All Coast Guard problems with the rapid reciept of EPIC data can be traced to communications problems. I have been aware of Coast Guard problems with thier communications since my arrival at EPIC in July 1985 and have made recommendations to Coast Guard headquarters concerning the problem. I have recommended such things as satelite comms and direct HF radio comms. I am a strong advocate of direct CG unit/EPIC watch comms via covered HF voice as the best solution to the comms problem. The present system of third party RATT patch/phone checks does not work to anyones satisfaction.

2. During my tenure as CGLO I have responded to several field complaints of lack of timely or inaccurate EPIC response to queries. I was able to trace each complaint to poor or ineffective Coast Guard communications. On two occasions the complaint was due to a poor understanding by the unit of EPIC capability.

3. While I have heard many comments from (G-OIS) concerning the Coast Guard not getting needed information from EPIC or not getting its moneys worth from EPIC I have had no documentation of real lack of EPIC response. As far as I know EPIC has responded fully to all requests for information.

4. We the Coast Guard seem to be the second largest user of EPIC services yet we provide an inadequate level of manpower to provide optimal service to either EPIC or Coast Guard interests.

5. Enclosed are copies of some of the correspondence documenting my views on manning and comms. There has been a great deal of informal traffic on the subject.

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

PREPARED STATEMENT OF STEPHEN S. TROTT

MR. CHAIRMAN, I AM PLEASED TO APPEAR BEFORE YOU TODAY TO DISCUSS FEDERAL DRUG INTERDICTION EFFORTS AND IN PARTICULAR THE ESTABLISHMENT OF COMMAND, CONTROL, COMMUNICATIONS, AND INTELLIGENCE (C^3I) CENTERS. WHILE THE ATTORNEY GENERAL IS THE CHAIRMAN OF THE NEW NATIONAL DRUG POLICY BOARD ITSELF, I CHAIR THE POLICY BOARD'S COORDINATING GROUP FOR LAW ENFORCEMENT.

AS YOU KNOW, CREATION OF THE NATIONAL DRUG POLICY BOARD WAS ANNOUNCED BY ATTORNEY GENERAL MEESE ON FEBRUARY 3, 1987. THIS CABINET-LEVEL BOARD WILL BE FORMALLY ESTABLISHED UPON ISSUANCE OF AN APPROPRIATE EXECUTIVE ORDER BY THE PRESIDENT. THE NEW BOARD WILL CENTRALIZE OVERSIGHT AND COORDINATION OF ALL FEDERAL DRUG CONTROL POLICIES AND PROGRAMS.

TO ACHIEVE THIS CENTRALIZATION, THE NATIONAL DRUG POLICY BOARD WILL FULLY ABSORB THE FUNCTIONS AND RESPONSIBILITIES OF THE NATIONAL DRUG ENFORCEMENT POLICY BOARD (NDEPB), CREATED BY STATUTE IN 1984 AND RESPONSIBLE FOR DEVELOPING, REVIEWING AND COORDINATING FEDERAL "SUPPLY-SIDE" STRATEGIES TO COMBAT DRUG TRAFFICKING. IN ADDITION TO RETAINING THESE LAW ENFORCEMENT RESPONSIBILITIES, THE NEW BOARD WILL ASSUME RESPONSIBILITY FOR POLICY COORDINATION OF DRUG PREVENTION, EDUCATION, TREATMENT AND REHABILITATION PROGRAMS.

THE BOARD WILL BE CHAIRED BY THE ATTORNEY GENERAL AND VICE-CHAIRED BY DR. OTIS BOWEN, SECRETARY OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES. OTHER MEMBERS OF THE NEW BOARD (ALL

OF WHOM ARE PRESENTLY EITHER STATUTORY OR APPOINTED MEMBERS OF THE NDEPB) INCLUDE: THE SECRETARIES OF STATE, DEFENSE, HEALTH AND HUMAN SERVICES, TREASURY, TRANSPORTATION, EDUCATION, ENERGY, LABOR, HOUSING AND URBAN DEVELOPMENT, INTERIOR AND AGRICULTURE, THE DIRECTORS OF CENTRAL INTELLIGENCE AND THE OFFICE OF MANAGEMENT AND BUDGET, AND REPRESENTATIVES FROM BOTH THE PRESIDENT'S AND VICE PRESIDENT'S OFFICE.

WITHIN THE NEW POLICY BOARD STRUCTURE, THERE WILL BE TWO COORDINATING GROUPS, EACH COMPRISED OF DEPARTMENT ASSISTANT SECRETARIES, HEADS OF AGENCIES, AND OTHER SENIOR OFFICIALS FROM ORGANIZATIONS REPRESENTED ON THE BOARD. A DRUG ENFORCEMENT COORDINATING GROUP, AS I MENTIONED, CURRENTLY EXISTS UNDER THE NDEPB AND WILL CONTINUE TO BE CHAIRED BY MYSELF AS ASSOCIATE ATTORNEY GENERAL. IN ADDITION, A DRUG PREVENTION AND HEALTH COORDINATING GROUP WILL BE ESTABLISHED, CHAIRED BY DR. DONALD I. MACDONALD, DIRECTOR OF BOTH THE ALCOHOL, DRUG ABUSE AND MENTAL HEALTH ADMINISTRATION AND THE WHITE HOUSE DRUG ABUSE POLICY OFFICE.

WITH THAT AS A BACKGROUND, I WOULD LIKE TO BRIEFLY EXPLAIN OUR DRUG INTERDICTION STRATEGY AND THE ROLE OF COMMAND, CONTROL, COMMUNICATIONS AND INTELLIGENCE, OR C^3I CENTERS. OUR INTERDICTION STRATEGY FOCUSES ON DETECTING, IDENTIFYING AND INTERCEPTING SHIPMENTS OF ILLEGAL DRUGS AS THEY MOVE FROM SOURCE COUNTRIES AND TRANSSHIPMENT COUNTRIES TO OUR U.S. BORDERS. RESOURCES ARE CONCENTRATED IN AREAS OF HIGHEST CURRENT THREAT AND INTEGRATE THE

CAPABILITIES OF VARIOUS INTERDICTION AGENCIES TO MAXIMIZE THEIR EFFECTIVENESS.

THE POLICY BOARD HAS ALWAYS CONSIDERED INTERDICTION AN INTEGRAL PART OF OUR DRUG ENFORCEMENT STRATEGY BUT ALSO MUST STRIVE TO MAINTAIN THE PROPER BALANCE OF EMPHASIS AND SPENDING ON ALL SEGMENTS OF OUR STRATEGY. THE OTHER MAIN PARTS OF OUR STRATEGY ARE: INVESTIGATIONS AND PROSECUTIONS, DEMAND REDUCTION, INTERNATIONAL EFFORTS, AND DIVERSION CONTROL. THE POLICY BOARD WILL SHIFT THE EMPHASIS OF OUR STRATEGY FROM TIME TO TIME, ACCORDING TO OUR BEST JUDGMENT OF WHICH AVENUES OFFER THE MOST PROMISING INVESTMENT OPPORTUNITIES FOR OUR EFFORTS AT THE TIME.

THE INTERDICTION MISSION IS COMPLICATED BY NUMEROUS FACTORS INCLUDING: THE ENORMOUS LENGTH OF THE U.S. BORDER; THE PROHIBITIVE COST OF ERECTING AN IMPENETRABLE SURVEILLANCE, DETECTION, AND APPREHENSION BARRIER AROUND THE UNITED STATES; THE INGENUITY OF THE DRUG TRAFFICKER; THE GUARANTEES AGAINST SEARCH AND SEIZURE AND USE OF MILITARY FORCE OFFERED BY OUR LEGAL SYSTEM; AND THE CORRUPTING POWER OF THE DRUG TRAFFICKER'S ENORMOUS FINANCIAL RESOURCES, AND HIS WILLINGNESS TO RESORT TO TERROR IN ORDER TO PRESERVE THESE ILL-GAINED ASSETS.

GIVEN THE CONGRESSIONAL DECISION LAST FALL TO SUBSTANTIALLY INCREASE THE CONSIDERABLE RESOURCES ALREADY DEDICATED TO INTERDICTION, WE ARE FULLY PREPARED TO ADMINISTER THESE INTERDICTION FUNDS AS EFFECTIVELY AND EFFICIENTLY AS POSSIBLE. HOWEVER, WE

BELIEVE THAT THE ABILITY OF THE POLICY BOARD TO FULFILL ITS MANDATE AS THE CENTRAL BODY IN THE EXECUTIVE BRANCH ON DRUG POLICY IS STRENGTHENED WHEN RESOURCE ALLOCATION DECISIONS ARE LEFT TO THE BOARD. THE AGENCY COORDINATION PROCESS IS MADE MORE COMPLICATED BY MANDATING RESOURCES TO AGENCIES, PARTICULARLY WHEN THE BOARD ASKED CONGRESS TO LEAVE THE PLACEMENT OF RESOURCES TO THE BOARD. ALL OF US BELIEVE THAT MORE AGENCY RESOURCE COORDINATION IS NEEDED, BUT THAT COORDINATION CANNOT BE EASILY ACHIEVED IF CONGRESS FOLLOWS THE PATH OF DICTATING THE TYPES OF RESOURCE AND THE AGENCY CONTROL OF THAT RESOURCE WITHOUT A REQUEST FROM THE ADMINISTRATION. CONGRESS AND THE ADMINISTRATION MUST WORK TOGETHER ON THIS PROCESS. TO DO OTHERWISE, COMPLICATES OUR MISSION TO PROVIDE THE MOST EFFECTIVE AND COST-EFFICIENT DRUG LAW ENFORCEMENT SYSTEM WE CAN.

TURNING TO THE C^3I ISSUE ITSELF, THE MORE RESOURCES WE DEDICATE TO INTERDICTION, THE MORE IMPORTANT AND COMPLEX THE C^3I ISSUE AND, IN TURN, THE MORE DIFFICULT THE DECISIONS CONCERNING COMMAND, CONTROL AND COMMUNICATION FLOWING FROM IT.

FOR EXAMPLE, THE DRUG SMUGGLER AND HIS CONVEYANCE MUST BE DETECTED, INTERCEPTED, TRACKED AND APPREHENDED. ESPECIALLY WITH AIR INTERDICTION, THESE ACTIVITIES CAN BE THOUGHT OF AS 4 INTER-RELATED MISSIONS, INVOLVING DIFFERENT EQUIPMENT AND MANPOWER RESOURCES, CAPABILITIES, AND LEGAL AUTHORITIES.

EVEN WITHIN EACH OF THESE MISSIONS, OVERLAPPING SYSTEMS ARE CALLED UPON TO DO THE JOB. WITH RESPECT TO THE AIR DETECTION MISSION, FOR EXAMPLE, NO SINGLE RADAR IS ADEQUATE. AN EFFECTIVE COMBINATION OF GROUND, AIR AND SEA-BASED SYSTEMS, COUPLED WITH TETHERED AEROSTAT BALLOON RADAR, SOME BASED ON FOREIGN TERRITORY, IS WHAT WE BELIEVE WILL PROVIDE GOOD COVERAGE. THESE MISSIONS AND SYSTEMS NEED TO BE CONTROLLED AND COORDINATED. DIFFERENT AGENCIES ARE INVOLVED WITH EACH OF THESE MISSIONS. THE CUSTOMS SERVICE, THE COAST GUARD, DEA, DOD, STATE AND OTHERS ALL HAVE AN IMPORTANT ROLE TO PLAY. COMMAND, CONTROL AND COMMUNICATION INTER-OPERABILITY AMONG THESE NUMEROUS AGENCIES MUST BE PERFECTED TO THE GREATEST EXTENT POSSIBLE.

WITH ALL OF THESE DIFFICULTIES, THE POLICY BOARD HAS BEEN GRAPPLING WITH THE C^3I ISSUE, SINCE ITS INCEPTION. IN 1985, THE BOARD RECEIVED A DRAFT JOINT SURVEILLANCE COMMITTEE STUDY FROM THE NATIONAL NARCOTICS BORDER INTERDICTION SYSTEM (NNBIS), WHICH EXAMINED THE VERY INTERDICTION ISSUES WHICH CONTINUE TO DEMAND OUR ATTENTION TODAY. THIS STUDY RECOGNIZED THAT ONE OF THE MOST DIFFICULT QUESTIONS REGARDING OUR AIR INTERDICTION EFFORT IS HOW TO COMBINE ALL OF THE COMPLEX SURVEILLANCE, INTERCEPTION, TRACKING AND APPREHENSION SYSTEMS AND ASSETS INTO SELECTED COMMAND AND CONTROL CENTERS AND DETERMINE WHO IS RESPONSIBLE FOR THEIR OPERATION.

AS THIS STUDY INDICATED, WE HAVE FROM THE OUTSET BEEN AWARE OF THE NEED TO ANALYZE DRUG INTERDICTION FROM THE STARTING POINT

OF THREAT ANALYSIS, PROCEEDING ON TO RESOURCE AVAILABILITY, STRATEGY DEVELOPMENT AND THEN SYSTEMATICALLY ALLOCATING AVAILABLE RESOURCES TOWARD THAT STRATEGY, INCLUDING APPROPRIATE COMMAND, CONTROL AND COMMUNICATION AUTHORITIES AND FACILITIES.

IN AUGUST OF 1986, THE POLICY BOARD'S COORDINATING GROUP, IN AN EFFORT TO ADDRESS SOME OF THESE INTERDICTION QUESTIONS, DIRECTED THE POLICY BOARD STAFF TO EXAMINE THE EFFECTIVENESS OF AIR AND RELATED MARINE INTERDICTION ALONG THE SOUTHEAST BORDER.

CONCERNING THE C^3I ISSUE, THE POLICY BOARD STAFF RECOMMENDED IN OCTOBER 1986, CREATION OF "ONE OR MORE C^3 CENTERS, IN THE SOUTHEAST." THE STAFF RECOGNIZED THAT WHAT WE DON'T NEED IS A PROLIFERATION OF SYSTEMS AND FACILITIES DESIGNED TO SOLVE SIMILAR PROBLEMS IN THE SAME GEOGRAPHIC AREA. WHAT WE DO NEED IS MORE CONSOLIDATION OF INTER-AGENCY EFFORTS.

THIS STUDY AND ITS RECOMMENDATIONS WERE OVERTAKEN, HOWEVER, BY THE ANTI-DRUG ABUSE ACT OF 1986, WHICH PROVIDED FOR, AMONG MANY OTHER THINGS, A SIGNIFICANT EXPANSION OF DRUG INTERDICTION RESOURCES, INCLUDING THE ESTABLISHMENT OF SEVERAL CUSTOMS C^3I FACILITIES. IN THE INTEREST OF CLARIFICATION, I WILL BRIEFLY SUMMARIZE THESE RELEVANT LEGISLATIVE STATUTES AND REPORTS WHICH ADDRESS THE ESTABLISHMENT OF C^3I CENTERS:

- IN OCTOBER THE ANTI-DRUG ABUSE ACT OF 1986 (P.L. 99-750) AUTHORIZED $25 MILLION TO THE U.S. CUSTOMS SERVICE FOR THE ESTABLISHMENT OF C^3I CENTERS. ACCORDING TO THE ACT, THE COORDINATION OF THE ESTABLISHMENT OF THESE CENTERS SHALL BE CONDUCTED BY THE COMMISSIONER OF CUSTOMS, TOGETHER WITH THE COMMANDANT OF THE COAST GUARD, THE ATTORNEY GENERAL OF THE U.S., AND THE NATIONAL NARCOTICS BORDER INTERDICTION SYSTEM (NNBIS).

- THE FY 1987 CONTINUING RESOLUTION (H.J. RES 738), IN TURN, MADE $25 MILLION AVAILABLE FOR THE ESTABLISHMENT OF THESE C³I CENTERS UNDER THE EXCLUSIVE CONTROL OF THE U.S. CUSTOMS SERVICE.

- ALSO THE SENATE REPORT (NO. 99-406) WHICH ACCOMPANIED THE PROPOSED 1987 TREASURY APPROPRIATIONS BILL DIRECTED THE COMMISSIONER OF CUSTOMS TO ESTABLISH THREE SECTOR COMMAND AND CONTROL CENTERS TO BE LOCATED IN MIAMI, FLORIDA, HOUSTON, TEXAS, AND AT MARCH AIR FORCE BASE, CALIFORNIA. IN ADDITION, THE COMMITTEE DIRECTED THAT A NATIONAL COMMAND AND CONTROL CENTER BE ESTABLISHED IN OKLAHOMA CITY, OKLAHOMA.

- IN NOVEMBER, THE FY 1987 NATIONAL DEFENSE AUTHORIZATION ACT (H.R. 99-1001) WAS PASSED, REQUIRING THAT THE PRESIDENT SUBMIT TO THE CONGRESS A COMPREHENSIVE PROGRAM DESIGNED TO INTERDICT AIRCRAFT, VESSELS AND VEHICLES CARRYING ILLEGAL DRUGS INTO THE UNITED STATES. ACCORDING TO THE ACT, THIS PROGRAM SHALL INCLUDE A REQUIREMENT THAT

MAXIMUM USE BE MADE OF EXISTING DEPARTMENT OF DEFENSE AND COAST GUARD COMMAND AND CONTROL NETWORKS.

DURING A NOVEMBER AND DECEMBER REVIEW OF THE POLICY BOARD STAFF'S STUDY RECOMMENDATIONS AND THE RECENTLY ENACTED LEGISLATION, THE POLICY BOARD ASKED CUSTOMS AND COAST GUARD TO WORK TOGETHER TO CO-LOCATE THEIR C^{3}I RESOURCES IN THE SOUTHEAST, AND INSTRUCTED THE COORDINATING GROUP WHICH I CHAIR TO MONITOR THE ESTABLISHMENT OF THE C^{3}I CENTER, AND ENSURE THAT JOINT COMMAND IS FULLY REALIZED. CUSTOMS AND COAST GUARD HAVE AGREED TO CO-LOCATE AT RICHMOND HEIGHTS, FLORIDA.

IN ADDITION, AN INTER-AGENCY WORKING GROUP WAS ESTABLISHED IN OCTOBER OF 1986, UNDER THE CHAIRMANSHIP OF CUSTOMS, AS CALLED FOR BY THE 1986 LEGISLATION, TO ACHIEVE GREATER INTER-AGENCY COOPERATION AND COORDINATION. THIS WORKING GROUP IS COMPOSED OF CUSTOMS, COAST GUARD, DEA, FAA, NNBIS AND DOD REPRESENTATIVES AND MEETS ON A REGULAR BASIS TO ENSURE BETTER COORDINATION OF INTELLIGENCE, COMMUNICATIONS, DESIGN LOCATION AND COMMAND RELATIONSHIPS. THE WORKING GROUP HAS REPORTED REGULARLY TO THE POLICY BOARD'S COORDINATING GROUP. THE LAST SUCH PROGRESS REPORT AND DISCUSSION TOOK PLACE AT THE MARCH 16, 1987 COORDINATING GROUP MEETING.

THE POLICY BOARD HAS ALSO ESTABLISHED THREE SEPARATE INTER-AGENCY WORKING GROUPS WITHIN THE PAST 6 MONTHS TO EXAMINE AND

RESOLVE ANCILLARY ISSUES INVOLVING THE COMMAND, CONTROL AND COORDINATION OF OUR INTERDICTION EFFORTS:

- THE TECHNICAL EXPERTS PANEL CHAIRED BY ADMIRAL DONALD ENGEN, DIRECTOR OF FAA IS EXAMINING OPTIONS REGARDING A RADAR NETWORK IN THE CARIBBEAN FLOWING FROM THE POLICY BOARD'S SOUTHEAST BORDER STAFF STUDY.

- THE SUBCOMMITTEE ON THE BAHAMAS, CHAIRED BY ANN WROBLESKI, ASSISTANT SECRETARY OF STATE, OVERSEES THE INTERDICTION ACTIVITIES OF THE U.S.-BAHAMIAN TASK FORCE AND CONSIDERS THE ISSUES SURROUNDING THE ESTABLISHMENT OF A COMMUNICATION DATA LINK FROM THE BAHAMAS TO THE C^3I SITE IN FLORIDA.

- THE SUBCOMMITTEE ON INTELLIGENCE SHARING CHAIRED BY JOHN C. LAWN, ADMINISTRATOR OF DEA, IS EXAMINING OUR TACTICAL AND STRATEGIC INTELLIGENCE NEEDS AND ASSETS, AND THE LEGAL PROBLEMS ASSOCIATED THEREWITH.

AS A RESULT OF ALL THIS INTERAGENCY CONSULTATION, PROGRESS HAS BEEN MADE. TWO SITES, ONE AT MARCH AIR FORCE BASE IN CALIFORNIA, AND ONE AT RICHMOND HEIGHTS IN FLORIDA, HAVE BEEN AGREED UPON BY CUSTOMS AND COAST GUARD, THE TWO MAIN ACTORS ON THIS ISSUE. AN AGREEMENT WAS REACHED ON MARCH IN MY OFFICE BETWEEN CUSTOMS AND COAST GUARD ON COMMAND AND CONTROL OF THE SOUTHEAST C^3I FACILITY.

I CAN REPORT THAT BOTH CUSTOMS AND COAST GUARD HAVE MADE GOOD FAITH EFFORTS TO SEEK A RESOLUTIONS OF THESE ISSUE. WE BELIEVE SUCH ISSUES ARE OF AN INTRA-FAMILY NATURE AND CAN BEST BE HANDLED BY THE POLICY BOARD. EVERY MEMBER OF THE POLICY BOARD IS COMMITTED TO MINIMIZING INTER-AGENCY RIVALRIES AND WE CAN AND WILL WORK OUT OUR INTERNAL DIFFERENCES.

CONCERNING INTELLIGENCE, DEA'S EL PASO INTELLIGENCE CENTER (EPIC) WAS AN EARLY RECOGNITION OF THE IMPORTANCE OF THE MISSION OF COORDINATING INTERDICTION INTELLIGENCE. TO IMPROVE OUR PERFORMANCE OF THIS MISSION, $7.5 MILLION HAS BEEN RECENTLY RELEASED TO DEA TO UPGRADE EPIC'S CAPABILITIES AND TO MOVE IT TO FORT BLISS WHERE IT WILL SERVE AS THE NATIONAL TACTICAL INTERDICTION INTELLIGENCE CENTER.

THE POLICY BOARD DOES NOT HAVE DAY-TO-DAY OPERATIONAL RESPONSIBILITY FOR DRUG LAW ENFORCEMENT. WE DO HAVE POLICY RESPONSIBILITY TO FACILITATE THE COORDINATION OF OPERATIONS AND POLICY UNDER THE TERMS OF THE NATIONAL NARCOTICS ACT OF 1984. WE DO NOT MICRO-MANAGE THE OPERATIONS OF ENFORCEMENT AGENCIES. THOSE DOING THE JOB IN THE FIELD ARE NORMALLY GIVEN THE FLEXIBILITY, WITHIN LEGAL CONSTRAINTS, TO GET THE JOB DONE IN CONCERT WITH OUR OVERALL NATIONAL STRATEGY. WHEN AN INTER-AGENCY COORDINATION OR COOPERATION PROBLEM SURFACES, WE DEAL WITH IT AT THE POLICY BOARD. WE WELCOME YOUR CONCERN AND INTEREST IN THIS PROCESS.

PREPARED STATEMENT OF HOWARD GEHRING

Mister Chairman and Members of the Subcommittee, I am Howard Gehring, Director of the National Narcotics Border Interdiction System (NNBIS). I assumed my position on the Vice President's staff in July 1985. I welcome the opportunity to provide this briefing paper to the Subcommittee on NNBIS in general and specifically on the involvement of NNBIS with regard to the establishment of the C-3I network by the U.S. Customs Service.

The National Narcotics Border Interdiction System has its origins in the South Florida Task Force (SFTF) created by the President on January 28, 1982 to respond to the emergent situation which existed in South Florida with respect to drug smuggling and other criminal conduct. Vice President Bush was asked by the President to head the SFTF charged with, among other things, organizing a comprehensive attack against drug traffickers and their organizations. As a result, more prosecuting attorneys and hundreds of additional law enforcement personnel were assigned to South Florida and substantial assistance was solicited and received from the Department of Defense. Diplomatic initiatives were also intensified with neighboring countries to enhance the effectiveness of the cooperative law enforcement effort. The SFTF significantly strengthened the ability of law enforcement to interdict the flow of illegal drugs to this country and to investigate and prosecute drug trafficking organizations.

Meanwhile, to supplement the successes of the SFTF and in response to the evolving smuggling threat, additional drug enforcement initiatives were directed by the President. On October 14, 1982, the President announced the establishment of thirteen Organized Crime Drug Enforcement Task Forces, under the leadership of the the Attorney General, to attack the organizations which finance and control drug trafficking and distribution networks. These task forces were modeled in part on the approach of the SFTF with respect to the investigation and prosecution of drug traffickers.

The National Narcotics Border Interdiction System, modeled after the coordination methodology of the SFTF, was created by President Reagan on March 23, 1983 as a management tool for coordinating efforts to combat drug smuggling at and approaching the borders of the United States. NNBIS commenced its coordination efforts in June 1983, with regional offices in New York, Chicago, Long Beach, El Paso, New Orleans, and Miami. The [illegible] geographical boundaries of the six regions were designed primarily to align with the extension of relevant Customs or Coast Guard regions. Since the primary focus of a NNBIS region is the border, there are no internal U.S. boundaries. In accordance with a Congressional mandate, a sub-region or NNBIS District was created in Honolulu with responsibility for the Western Pacific.

The mission of NNBIS is to coordinate efforts to interdict the flow of narcotics into the U.S. using all appropriate existing federal, state and local resources. Specifically, NNBIS seeks to improve national drug interdiction by innovatively concentrating on four tasks:

-- Enhancing interagency coordination and cooperation in drug interdiction.

-- Increasing the participation of the military services in support of drug interdiction.

-- Expanding the involvement of the intelligence community in support of drug interdiction.

-- Promoting international anti-drug efforts which complement U.S. interdiction activities.

Each region must, therefore, collate information, assess the threat to the region, prioritize smuggling targets, identify resources available to interdict targets, and recommend actions to participating agencies. NNBIS is not an action agency, but a coordinating body composed of participating agencies. NNBIS does not direct the participating agencies, but rather, utilizing its unique multi-agency perspective, identifies the appropriate resources necessary to engage in successful interdiction operations.

At the request of agencies, each region coordinates multi-agency special operations within its geographical area of responsibility. Once a target is seized and turned over to the appropriate agency, the regional office selectively conducts follow-up interdiction analysis on the seizure to determine regional trends.

Oversight of NNBIS was initially directed by an Executive Board chaired by the Vice President and composed of the Secretaries of State, Treasury, Defense and Transportation, the Attorney General, Counselor to the President, Director of Central Intelligence, and the Director of the Drug Abuse Policy Office. However, since representation on the National Drug Enforcement Board created by the National Narcotics Act of 1984 was essentially the same, the NNBIS Executive Board was folded into the NDEPB in 1985.

As a coordinating mechanism, NNBIS does not directly involve itself in resource or policy issues of its participating agencies, rather it coordinates existing agency resources and concurrently acts as a clearing house for Department of Defense assets.

Prior to the National Narcotics Act of 1984, NNBIS brought together key agencies to address existing interdiction resource capabilities. Section 1304 of the National Narcotics Act placed resource responsibility with the National Drug Enforcement Policy Board (NDEPB). Consistent with this congressional mandate, NNBIS worked with the Policy Board on outstanding resource and policy issues. We have and will continue to assist the efforts of any entity attempting to make better use of existing resources. In this regard NNBIS and the NDEPB have been very complementary. Similarly, we continue to provide advance and follow-up briefings, often classified, to interested congressional members and their staffs on planned, ongoing, and completed special interdiction operations.

NNBIS is a member of the NDEPB and has worked closely with the Policy Board since its inception. During the drafting stages of PL 99-570, NNBIS forwarded a letter to the Congress requesting that disposition of any new interdiction assets contained in the legislation be determined by the NDEPB consistent with the National Narcotics Act of 1984. In accordance with Subtitle F, Section 3351 of PL 99-570, NNBIS has worked with the Customs Service, the Coast Guard and the Attorney General on the establishment of the C-3I centers.

I would be pleased to continue working with you and your staff by responding to any questions the subcommittee might have on NNBIS and its related activities.

STATEMENT OF REPRESENTATIVE EARL HUTTO (D-FL) BEFORE THE SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

MARCH 24, 1987

Mr. Chairman, I want to commend you for scheduling hearings at this time on the status of federal drug interdiction efforts, and appreciate this opportunity to express my views on this important subject.

Mr. Chairman, the Anti-Drug Abuse Act of 1986 was a milestone in our continuing war against drug trafficking and abuse. The Act was heralded by many as a comprehensive answer to the drug problem because it addressed a number of different areas -- law enforcement, interdiction, education, treatment and rehabilitation. As you know, however, just appropriating money is not enough. It is imperative that Congress review the plans for implementation of the Anti-Drug Abuse Act in order to ensure that the original intent of the legislation is accomplished in the most beneficial and cost-effective manner.

When we passed the Anti-Drug Abuse Act last year, it was the intent of Congress that maximum use should be made of the resources already existing in the armed forces. The Defense Authorization Act for FY1987 reinforced this intention by stating that the drug interdiction program should include "a requirement that maximum use be made of existing Department of Defense and Coast Guard command and control networks as well as other available military resources, including equipment, intelligence and training capabilities." Regrettably, I am not convinced this directive is being followed.

As you know, Mr. Chairman, I serve as a member of the Seapower, Readiness, and Military Installations and Facilities Subcommittees of the House Committee on Armed Services, and I am privileged this year to chair the Subcommittee on Coast Guard and Navigation of the House Merchant Marine and Fisheries Committee.

Because of these closely related committee assignments, I am particularly pleased that your hearings are focusing on two critical areas of concern -- the comprehensive Command, Control, Communications and Intelligence (C^3I) system that was authorized in the Anti-Drug Abuse Act, and the designation of lead areas of responsibility for federal agencies in order that missions are assigned in a manner that best utilizes the capabilities of each agency.

C^3I Center Locations

In last year's Anti-Drug Abuse Act, Congress authorized $25 million for development of a C^3I system for the federal drug interdiction program. Instead of permitting the National Drug Enforcement Policy Board to decide which agency could best develop such a system, Congress gave the money for the program to the U.S. Customs Service, and directed that establishment and location of the C^3I center be coordinated with the Coast Guard, the Department of Justice and the National Narcotics Border Interdiction System. Unfortunately, reports indicate there has been little coordination in this important project.

The selection of locations for the new C^3I centers is a golden opportunity for the federal government to reassure the nation's taxpayers that we truly are spending their money wisely. However, it appears to me that we may be squandering that opportunity, along with several million dollars of taxpayer money.

Numerous studies prepared by various private firms and individual consultants under government contract have recommended the establishment of two C^3I centers. The consensus of the recommendations of these studies has been that these two centers should be collocated at March Air Force Base in Riverside, California and Tyndall Air Force Base in Panama City, Florida to allow for proximity to the Joint Surveillance System Sector Operations Control Centers (SOCCs) at those locations. These facilities, which are components of the Air Force NORAD system, already receive much of the long-range radar data required for C^3I activity.

While other sites that have been recommended may have certain merit, colocation of the C^3I centers at March and Tyndall provides unique strategic advantages that far exceed other locations by making maximum use of multi-mission capabilities available only at these Air Force facilities. The Customs Service has agreed that the Southwest C^3I center should be collocated at March Air Force Base. However, Customs has chosen not to collocate the Southeast center at Tyndall Air Force Base. There are several reasons why this decision is not the wisest one that could be made. Two of the most important are:

-- Shared radar surveillance between the Air Force and the drug interdiction C^3I center would benefit both the drug interdiction program and our early warning defense capabilities, especially for low-flying aircraft and cruise missiles.

-- Tyndall AFB would provide considerable expertise and technical support to the new C^3I facility, including complete physical security at a fraction of the cost required for an autonomous operation elsewhere.

On a matter of less strategic importance, but nevertheless one that should be considered, location of the new C^3I facility at Panama City offers many outstanding quality of life features for the personnel assigned there, including a lower cost of living. On this point, I can speak with a great deal of authority since Panama City is my home!

Seriously though, Mr. Chairman, colocation of the Southeast C^3I center at Tyndall AFB logically parallels the decision of the Customs Service to co-locate a C^3I center at March AFB. The same arguments used to support the selection of March should be equally applied to the selection of Tyndall. The Air Force wants the C^3I centers to be collocated at March and Tyndall and will cooperate fully in their establishment. Coordination of the radar capabilities of the drug interdiction C^3I system with NORAD would enhance both our national security and our drug interdiction effort in the near term and, as we hopefully are successful in reducing the influx of drugs into our country, will provide for continued use of this important -- and expensive -- facility for national security purposes. In these days of tight budgets, that should be an important consideration.

I should point out, also, that Tyndall is the first choice of the Coast Guard for location of the drug interdiction C^3I facility. Since Coast Guard and Customs are to share command of this important facility, I would think that Coast Guard's views on its location should be given careful consideration. However, Customs had already decided on another location before Coast Guard was consulted. This, Mr. Chairman, is a perfect example of the lack of coordination between the agencies that has become apparent recently. Fortunately, no construction contracts have been let, and it is not too late for possible mistakes to be corrected.

Areas of Responsibility

The other concern that I wish to discuss today is the critical need for designation of areas of responsibility in the drug interdiction effort. The current assignment of responsibilities of federal agencies involved in drug interdiction does not provide for proper utilization of each agency's capabilities and expertise. This lack of a suitable framework is a major impediment to effective adoption of available technologies, and serious problems with interagency coordination and cooperation have resulted in a lack of central authority to address important strategic and tactical questions. What is needed is a clear definition of agency and department roles, corresponding authority to perform those roles, and accountability for accomplishment.

The expertise in the federal government that is necessary to combat drug trafficking resides in a diverse collection of departments and agencies. Each of these brings to the drug interdiction effort a unique combination of skills, capabilities and experience. However, for most of these agencies, drug enforcement is only one of many programs, and the resources and support structure used in drug interdiction must serve many other missions as well.

Recognizing this problem, Mr. Chairman, you wisely directed, in an amendment to the Defense Authorization Act for FY1987, the designation by the President of lead agencies in specified areas of drug interdiction and law enforcement. I hope that this designation, which is due by May 13th, will adopt the concept of areas of responsibility for drug interdiction based upon geographical constraints and expertise.

In 1985, the Secretary of the Navy, the Secretary of Transportation, the Chief of Naval Operations, and the Commandant of the Coast Guard agreed upon the establishment of the Maritime Defense Zone (MDZ) concept, which was defined as the defense of ports, harbors, waterways, and U.S. coastal waters up to 200 miles offshore. Because of its MDZ responsibilities, the Coast Guard has a clear vision of its mission upon mobilization in time of national emergency, and this reponsibility places the Coast Guard in the best cost/benefit position to utilize those concepts as the lead agency for peacetime drug interdiction over, on and below the seas.

I believe the National Drug Enforcement Policy Board would do well to designate the Coast Guard as the lead agency in air and marine drug interdiction in order to take optimum advantage of this unique capability, while also ensuring that Customs Service and the Drug Enforcement Administration are used to best advantage in their areas of expertise. Although relatively new to a major drug interdiction program, the Coast Guard is willing to assume a primary role in this effort and, because they are operational on a 24-hour basis -- not just a 9-to-5 operation -- we should take advantage of this willingness and ability.

I also feel very strongly that, until lead areas of responsibility are defined by the Policy Board -- and better cooperation and coordination between agencies is achieved -- further development of plans for the Southeast C^3I center should be held in abeyance. We are only talking about a couple of months before the designations must be made, and it is imperative that the right decision be made before plans advance to the point they cannot be reversed.

Again, Mr. Chairman, thank you for providing this forum for discussion of these important problems in the drug interdiction effort. I welcome an opportunity to work with you and your committee toward ensuring that we provide the most successful program in the most cost-effective manner.

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STATEMENT OF
THOMAS W. STEEVES, COLONEL, USAF (RETIRED)
GRAFTON, VIRGINIA

BEFORE THE

U. S. SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

MARCH 18, 1987

Mr. Chairman and Members of the Committee:

I am pleased to make a statement before this Committee on the subject of the drug interdiction program. I am specifically concerned about the issue of command, control, communications and intelligence (C^3I) centers; their proposed locations, joint interdiction operations, coordinated activity with Department of Defense agencies, and ultimate authority or agency responsible for the tactical drug interdiction mission.

Air Force Background

I retired from the Air Force on 1 July 1985 after almost 30 years active duty; the entire career being spent in the C^3 arena. My experience in C^3 includes special qualifications related to air defense and tactical radar unit operations; particularly air surveillance, identification, intercept and tactical control. During 18 of the last 30 years, I was involved with operating automated data systems, computer display systems and automated communication systems. I had considerable military experience in C^3 system planning, and operator training for various U.S., NATO, and other Allied command and control systems.

My last duty assignment was with 26th Air Division, March AFB, California, December 1982 - July 1985, where I held the position of Director, Southwest Region Operations Control Center (SW ROCC). In this capacity, my responsibility focused on operational training of 150 personnel and conducting air sovereignty activities in the Southwest one-fourth of the United States. This area extended from approximately the Oregon-California border south through California, Nevada, Arizona, and New Mexico to Central Texas. I directed operations of the 24-hour computer display center from which strategic air defense activities were conducted.

Military Relationship with U.S. Customs Service (USCS)

During 1983, the SW ROCC equipment was being installed, personnel were in training and the new Joint Surveillance System (JSS) was being tested. It was during this period that I was approached about sponsoring a collocated USCS operation within the ROCC for drug interdiction purposes. In researching the question, I found that USAF, FAA and USCS had an agreement, signed a few years before, which authorized USCS agents access to FAA/JSS radar sites in the Southwest and that there had been for some time an agent working within the old 26th Air Division SAGE Air Defense Direction Center at Luke AFB near Phoenix, Arizona. I was told that in the past the air defense crews had assisted this agent with radar surveillance and interception of several aircraft smuggling illegal drugs. In discussions with my Air Division Commander, the Air Defense staff at Tactical Air Command, and with Air Staff members at the Pentagon, we saw no reason not to continue with our efforts to assist USCS, U.S. Coast Guard, or any other agency with the drug interdiction mission from the new ROCC. Our first briefing and visitors' tour on the subject of collocated operations with USCS was given in late 1983 to the Chief of DOD Support to Drug

Enforcement and the Director of the National Narcotics Border Interdiction System (NNBIS). They were promptly followed by more briefings to and visits by USCS Regional Commissioners along with the U.S. Coast Guard District Commander. My position early on has remained the same: collocated operation of an Air Defense C^3I Center (ROCC) with that of the agency responsible for the tactical drug interdiction program makes good sense. In fact, I was very enthusiastic about the added responsibilities as well as the potential for improved resources for border surveillance and peacetime air defense training. It was no secret that the U.S.-Mexican border lacked a sophisticated and comprehensive radar surveillance capability. JSS was originally to be a peacetime air sovereignty system and there was little potential for hostile aircraft penetration across our Southwest border. My personal view was, and is, that this situation had changed dramatically. Although no immediate hostile military threat existed at that time to concern NORAD or the national military command authority, a new hostile threat to the American way of life existed in the form of drug smuggling by air across these same borders.

As you know, the USCS collocated operation commenced early in 1984 at both the SW ROCC at March AFB and the SE ROCC at Tyndall AFB, Florida. Both ROCC Directors fully supported the effort. We went out of our way to ensure the USCS personnel were properly trained in the use of the display consoles, military communications, and intercept procedures using our air defense equipment. At the SW ROCC we provided USCS with their own "Customs Corner," administrative space and the full 24-hour use of an operational display console on a "non-interference basis" with NORAD operations. During this period, in practical terms at the SW ROCC, that meant almost full time use of the console. At the SE ROCC, where daily operational and training activities were more extensive, there were occasions when USCS had to be denied use of the console. The

SE ROCC Director and I coordinated our activities and support to USCS with appropriate military authority, and in my view, we were fully supportive of this mission. The USCS Director of Air Operations - West moved his staff to March AFB and we met almost daily to discuss operational matters.

During my tour at SW ROCC, we participated in several drug interdiction operations, set-up under the NNBIS umbrella, with combined forces of DOD, USCG and USCS. Extensive use was made of Army, Marine, Navy and Air Force aircraft and vehicles. Radar surveillance assets included AWACS and Navy E-2C, as well as USCS personnel and interceptor or tracking aircraft. All of these activities were highly successful coordinated operations, but totally unsuccessful at the task of drug smuggler interception or apprehension. We stopped the flow of drugs across the Southwest border during the time period of the operation, but it was obvious that the infiltrators just stopped flying while we made all of our noise. My estimation of the reason for failure in those days was a total lack of operational or communication security on the part of USCS, coupled with the probable use of paid informers. Provision of secure or ciphered voice systems and the discipline to use them by all government agencies is absolutely essential if tactical drug interdiction is to succeed against a very well financed group of determined people who can afford to field more sophisticated equipment than that available to USCS. For example, we were told by USCS agents that an aircraft was confiscated which contained radio monitoring equipment and voice tapes of USCS/DOD radio/telephone activities. It is no wonder that many of the drug interdiction operations were compromised.

At the SW ROCC, we always knew that aircraft were underflying radar coverage on the Southwest border because people reported hearing them flying over at night and the area was littered with aircraft wreckage. During unusual late night weather conditions, our radar would occasionally pick up low flying aircraft in certain border segments. Usually, USCS did not have an aircraft on alert or available to intercept those we did see. There were also many reports of abandoned or partially burned aircraft which had been used for smuggling and discarded. We knew there was a problem, but not the magnitude. The combined operations usually netted nothing; and we suspected operational security problems. In this atmosphere, one of the USCS Air Branch Chiefs persuaded a Navy E-2C squadron to fly one late night sortie along the border from Southern California to Texas and return without placing the activity on the normal posted flight schedule. During this flight they watched the airborne radar surveillance picture passively and counted one dozen illegal border penetrations. From this one demonstration I became convinced of the need to improve our surveillance and interdiction capabilities. I was an immediate proponent for a netted radar system consisting of a combination of aerostats, mobile radars, JSS radars, and FAA enroute and terminal radars.

Contractual Relationship with U.S. Customs Service

Nearing my retirement date, I circulated my resume in the normal fashion. I was offered by USCS Commissioner Von Raab the position of Director of Air Operations - West. Unfortunately, I had to decline his offer for personal reasons, although it was a job which I would have thoroughly enjoyed. Upon retirement, I accepted a position with a defense contractor to provide Field Operations Consultant service to HQ Tactical Air Command (TAC) at Langley AFB, and I relocated to Virginia. During the period 1 July to 30 September 1985, I continued a dialogue with USCS regarding an improved C^3I system for drug interdiction and participated in a one-month contractual effort to prepare a document for USCS as consultant to a small business firm. This firm's contract with USCS required delivery of a draft Request for Proposal (RFP) which USCS could use to ask industry to compete for the opportunity to provide a C^3I system. Further, we delivered a proposed master plan and timeline chart which contained references to the step-by-step activities that had to take place for system design, acquisition, test, activation, manning, training, interceptor resource acquisition and system operation. Our draft RFP included a concept of operations for joint maritime and air interdiction centers collocated at the SE and SW ROCCs. During our consultant work, we reviewed in detail the MITRE study on USCS C^3I system. One of the major problems we noted was the requirement for a large communication network to support the C^3I system, with its attendant costs. The recurring communications costs alone provide one of the soundest arguments for collocation with existing DOD C^3I centers which already have extensive communications which can be shared. Within USCS there exists factions which, for reasons of their own, desired the new C^3I centers to be collocated with FAA facilities. To close out the consulting contract, Mr. Robert O. Holliday, USCS Director of Research and Development, asked us to prepare a paper detailing the rationale for collocation of USCS C^3I with the ROCCs as opposed to FAA. As I had prepared such a study while on active duty, it was easily updated and submitted as requested. Recently, I have had the opportunity to review the details of this document and find happily that it is still accurate and apparently still subscribed to by Air Force personnel. I have attached this document to my statement as I believe the Committee will find it of interest in light of the current USCS concept for siting the new C^3I centers.

USCS C^3I System RFP and Phase I Contract Effort

On 1 October 1985, I began my employment as a Field Operations Consultant for HQ TAC and continued to maintain an interest in the USCS C^3I system contractual process from a distance. Upon issue of the formal RFP, I was asked to participate in my corporation's proposal writing team. Our technical approach was judged excellent by USCS as was our corporation's experience base. Our proposal was submitted along with those of some twenty other firms. Three contractors were selected for the C^3I System Phase I design effort; our proposal placed fourth. We were told by USCS that all four proposals used the same "systems" design approach to the problem. My reaction to the USCS RFP was one of surprise and rejection. Although there were familiar elements, it was not the same RFP approach recommending collocation with the ROCCs that we had originally proposed. I was appalled that their RFP did not specify sharing and integration of DOD resources. Subsequent guidance to their contractors appears to confirm their lack of interest in working closely with DOD.

The most noticeable change was in the concept of operations. USCS dictated that designs must include provision for a national C^3I center and two regional C^3I centers with other sub-centers as yet undefined. The national center was to be located in Oklahoma City, the SW center in Southern California, and the SE center in South Florida. I knew immediately that the proposed C^3I system had been politicized. There is not one shred of operational logic to support a C^3I center in Oklahoma City and my operational experience and instincts told me these centers needed to be physically collocated with the ROCCs for all the reasons detailed in the attached paper.

(Note: The CONUS ROCCs have been renamed by the Air Force as Sector Operations Control Centers - SOCCs.)

In recent discussions with Air Force personnel, I find that USCS is proceeding with acquisition of a building for the new C^3I center on March AFB, but across the street from the SW SOCC. This makes no sense at all! They are apparently taking advantage only of the free government property. Without being physically attached to the SOCC building, within the same compound fence line, USCS loses all the advantages of collocation cited in the attached paper. The cost reduction aspects of mutual sharing of communications, crypto security, and physical security, to name a few, and the loss of the joint operations nature of this activity is too much for me to comprehend. Further, the present downlink of radar surveillance information from airborne Air Force AWACS and Navy E-2C aircraft is all secured by DOD crypto systems. Under current rules, it would not be possible to share this radar surveillance picture unless USCS was collocated with the SOCC. There is more than an adequate amount of property available physically adjacent to the both the SE and SW SOCCs which would provide space for a truly collocated operation. The building could even be multi-story if USCS wished more than the 10-12,000 square feet originally proposed.

Another strong case can be made for collocation due to the access to future DOD sensor improvements. The Air Force Over-The-Horizon Backscatter (OTH-B) radar will provide extensive early warning data on aircraft approaching the borders. The new C^3I system could surely share inputs from this sensor. Another future improvement is the Caribbean Basin Radar Network (CBRN). This activity would be a natural for providing shared radar surveillance for the tactical drug interdiction program.

It appears as though USCS has either resisted or neglected to fully coordinate their C^3I center concept or plans with DOD and Air Force agencies. The Air Force has indicated a complete willingness and desire to cooperate with USCS for several years, but apparently the USCS does not wish to accept the Air Force professional advice based on actual experience with C^3I systems.

U.S. Customs Service as Operator of a C^3I System

My association with USCS over the past four years has been one of increasing frustration. The USCS is primarily a law enforcement agency. I have met many dedicated and highly professional USCS agents. All of them carry a badge and most are licensed to carry firearms. They clearly understand their mission and want to protect our national borders from smugglers. With regard to drug interdiction, they are simply overwhelmed by the enormity of the task. With the exception of three or four individuals, almost no one in USCS understands application of command and control principles or operation of a sophisticated C^3I system. Virtually no one at HQ USCS understands or appreciates the value of air interdiction, or the urgent need to acquire and employ a vast increase of interceptor assets.

My perception of the USCS as the eventual operator of a C^3I system for drug interdiction has changed. I no longer think that this agency is capable of performing the task. The USCS is a highly political, Washington-based bureaucracy, more concerned with turf battles than effectiveness in field operations. They do not possess the manpower or resources to apply to the C^3I mission, even after working the issues for three years. I have not observed the discipline required to operate a 24-hour command and control system, nor do I believe the Civil Service rules will allow an effective operation, even if they could hire and train the manpower. In the colloquial, we have not kept our eye on the squirrel and are barking up the wrong tree.

It has been my privilege to be associated with Mr. Frank Ault for the past three years. I am in complete agreement with him that USCS is the wrong agency to operate the C^3I system for drug interdiction. I share the view that the U.S. Coast Guard should be the primary C^3I system operator with cooperative efforts by the USCS and other Federal agencies using their existing assets. The Coast Guard has the discipline, they have an in-place 24-hour command and control structure, and, what's more, they know how to use it! The Coast Guard should be provided the C^3I centers, increased sensor systems, and interceptor assets for maritime and air interdiction. The USCS should then be allowed to continue doing what it has done well for the last century.

There are obvious advantages to providing resources to the Coast Guard in peacetime which can also be used to guard our borders and coastlines in time of conflict, and it makes good fiscal sense. The recently augmented role of the Coast Guard requires close coordination with DOD and the Air Force for border surveillance. There is a natural tie between air defense units and the Coast Guard Maritime Defense Zones in wartime, and thus it is logical to conduct joint operations for training and border surveillance in peacetime. Coast Guard will be required to coordinate closely with the Air Force due to the preponderance of existing air surveillance assets.

The Coast Guard has a long background in law enforcement. They are the logical agency to join the law enforcement mission with the border protection role.

Conclusion

Mr. Chairman, I am pleased that you are holding hearings on this subject and hope that my comments will be of some value in your deliberations. A C^3I system for tactical drug interdiction is an essential element in the national drug enforcement program. It must be pursued along with education and eradication efforts. At my last count, there were over 20 agencies involved in the drug enforcement and interdiction effort. The actions of all these agencies need to be better coordinated and Congress should see to it that the leadership for tactical drug interdiction is placed with the agency most capable of performing the mission.

MTA Corporation
28 Hansom Drive
Poquoson, Virginia
23662

9 October 1985

Mr Robert O. Holliday
U.S.Customs Service (Rm 6117)
1301 Constitution Ave NW
Washington, D.C. 20229

Subject: ROCC Rationalization

Dear Mr. Holliday:

The attached documents present some of our thoughts on why the ROCC would be the best choice to start the new USCS C3I Centers. The most important thing to me is the "other" surveillance information that can be made available from the airborne DoD platforms when operating with the ROCC and the gnd to air comm. I noted in my last letter that the whole interdiction program will most likely grow beyond the two C3I centers currently envisioned. This being the case you most certantly would not want to tie to the FAA facilities. The emphasis for tactical operations will create a need for "mini" Centers close to the action, particularly with the marine activities. The emphasis from the top Centers would be feeding information and air support to the shorter range and slower moving activities at the "mini" centers.

Hope these papers help, at any rate give me a call if you need some other specifics.

Thomas H. Thompson
President

Attachments;
ROCC Advantages
T.Steeves Paper
~~JSS Security Guide~~ w/d

ADVANTAGES OF CO-LOCATING USCS C3I CENTERS ADJACENT TO EXISTING USAF SE ROCC AT TYNDALL AFB, FL AND SW ROCC AT MARCH AFB, CA

1. COMMUNICATIONS:

a. Telecommunications

(1) Digital Switch. The existing JSS/ROCC Stromberg-Carlson 1200 line capacity DBX can fulfill all needs of the USCS C3I center at March AFB by adding line cards, cable, modems, tellabs equipment, etc. necessary to provide external connections. These additions are well within equipment capability and sizing of existing TELCO equipment and would not have an impact on current USAF/ROCC operations at March AFB.

A temporary communication system is presently installed at Tyndall AFB, to support the SE ROCC. All digital communications service for USCS, in all likelyhood, could not be met at Tyndall AFB until installation of the "JSS/ROCC Full Communications Service" to be installed during FY86. With this newer service, each ROCC will have upgraded service to a 5000 line DBX plus added capabilities which will be more than adequate to care for future C3I Center needs. USCS would have to pay installation charges and monthly recurring charges for all comm services such as modems, phones, added lines, etc through GTE of California for SW ROCC and Port "St Jo" TELCO for SE ROCC. (Purchase/lease of expensive digital switch equipment is avoided.)

(2) Base Telephones The existing Air Force Base telephone systems are also undergoing upgrade to modern digital switching equipment (AF Program "Scope Dial"). This program installs a Northern Telecom DMS 100 modern digital switch at March AFB in FY86 and Tyndall AFB in FY87. These new base communications services would also provide more than adequate base and local commercial access for Customs operations.

b. Ground to Air

UHF Radios. From the ROCCs, each USCS operator could have access to military UHF radios located at JSS sites on the peripheral of the U.S. in the host air Division's area of responsibility. (23rd Air Division/SE ROCC.) 26th Air Division/SW ROCC.) Radios are pre-set to military tactical frequencies for air defense purposes (aprox 20 channels) which may be shared with USCS operators providing no conflicting higher priority military mission is in progress. No military VHF radios are accessable from the ROCCs. (NOTE: priority arrangements could insure USCS priority in all but emergency conditions.) It is doubtful that FAA-ARTCC, UHF radios or frequencies could be dedicated to USCS tactical missions on any given day. Military UHF radios are not accessable from ARTCC and FAA radios are not accessable from the ROCC.

HF Radios. Each ROCC has at least three HF Radios used for clear or cyphered text voice communications with AWACS or other airborne platforms, and one HF radio for cyphered DATA-LINK with other Link 11/TADIL A equipped airborne, shipborne, and ground surveillance stations. One of the HF voice radios could be shared with USCS operators in the ROCC when high priority military missions are not in progress. The DATA-LINK HF radio is connected to the ROCC-AWACS-DATA-information-LINK (RADIL) console and can be used with any TADIL-A/LINK-II equipped airborne or surface surveillance platforms within HF range. (NOTE: These HF radios could provide back-up and additional coverage to the existing and planned USCS HF privacy net.)

c. Communications Security

COMSEC equipment and material may be shared. Use of the current and planned crypto security systems to cypher surveillance system data and voice transmissions in and out of the ROCC. (NOTE: This would be a no-cost security advantage.)

2. Surveillance Inputs.

(a) Ground based JSS, FAA radars, and AEROSTATS provide digital data inputs via telephone lines to the central ROCC computer which builds a mosaic portrayal of the radar data and projects this composite picture on ROCC operator display consoles. These digitized radar inputs could easily be shared with co-located USCS C3I centers, to avoid cost of separate land lines modems, digitizers, etc., in two ways:

(1) Procure additional ROCC operator display consoles and install them in the C3I center which would then receive inputs from the ROCC computer, or, purchase other style consoles which could be driven by the ROCC HUGHES 5118M computer system. NOTE: The ROCC computer at March AFB has growth capability to add additional consoles, but the ROCC computer at Tyndall AFB has already reached the maximum number of connected consoles. Future modifications may be possible.

(2) USCS C3I Centers tap incoming data lines at the modems in the ROCC TELCO room and feed the radar data into a separate, dedicated USCS computer which would then process and display data on C3I Center unique display consoles. (NOTE: In this example, USCS would avoid cost of duplicating landlines to an additional C3I facility location.)

(b) Radar track and discrete surveillance information received on secure data-links (Link 11/TADIL A) from airborne platforms can be shared with USCS by transferring RADIL track data to an ROCC operator display console. The Customs operators could share ROCC operator console(s) on a non-interferrence basis until their own C3I Center display system is operating and available to receive inputs from the Air Force RADIL or a USCS

"RADIL-LIKE" device. (NOTE: Automatic surveillance inputs [radar & discrete] from airborne or seaborne surveillance platforms will not be available in ARTCCs.)

(c) The SE ROCC receives automatic radar inputs from 19 radar sites, including aerostats, plus airborne sources when available. The SW ROCC is currently recieves from 11 radar sites plus airborne sources. Both ROCCs have capacity to receive automatic inputs from 20 sites growing to 25 during 1986. ROCC surveillance displays in the future will have integrated over-the-horizon back scatter radar (OTH-B) extending early warning a considerable distance which may be of interest to USCS. (NOTE: OTH-B will not be available at ARTCCs.)

3. FAA Communications Access.

Each ROCC has connection with FAA agencies in several methods: Voice Page Hot Lines, direct dial, and teletype flight plan data.

(a) Voice Page Hot Lines. From each ROCC, any operator console can call certain ARTCC high and low sectors by means of a voice page. These circuits are used for critical ATC communication or safety of flight. The lines terminate at a speaker and headset at both ends. USCS could share this system during actual air interdiction operations. From SW ROCC, contact is possible with Seattle, Palmdale (LAX), Oakland, Albequerque, and Houston. From the SE ROCC, contact is possible with Houston, Miami, Jacksonville, Washington, and New York.

(b) FAA 300 System. Each ROCC operator console has the direct dial capability to access any FAA position within the ARTCCs mentioned above. USCS operators may share this capbility from their consoles. However, from the ROCC, it is not possible to dial thru the ARTCC 300 System to FAA agencies external to the ARTCC, such as Flight Service Stations, airports, tower, etc. Those locations must presently be access by FTS. (USCS may share ROCC FTS circuits.)

(c) Flight Plan Communications. Each ROCC receives IFR flight plan "Air Movements Data" (AMD) from the Air Movements Information Service (AMIS) at each ARTCC by means of teletype inputs directly into the ROCC computer. This system processes only a limited number of flight plans and would need extensive software upgrade and NORAD approval to accomodate VFR flight plans. NOTE: Two forthcoming changes have a direct impact in thse areas and should be taken into consideration:

(1) FAA is replacing the 300 System and modernizing their digital comm system with their "Voice Comm Switching System" (VCSS) which will have much greater capability, and,

(2) FAA is automating the Flight Service Station (FSS), as we know it today, and consolidating FSS activity within each ARTCC. The numbers of FSS will reduce down to only a small number of facilities in each state. (For example: five FSS in California, one in Nevada, one in Arizona, one in New Mexico, and

three in Texas.) Automated inputs of VFR or IFR flight plans/AMD to C3I centers will need considerable work by USCS and FAA due to FAA's present and projected FSS manpower.

(d) UHF/VHF Radios. ROCCs do not have access to ARTCC UHF or VHF radios nor is it currently planned to access FAA radios. ROCCs have access only to military UHF radios at JSS sites. In the future ARTCCs it is not likely, that any ARTCC could dedicate UHF or VHF radios or frequencies for Customs use during tactical operations. ROCC military UHF would generally be available for this use (particularly with NNBIS priorities).

4. Weather Information.

Co-location with the ROCCs allow USCS access to the DoD "comeds" computer terminal and printer at each ROCC with direct digital access to USAF Global Weather Center in Texas.

5. Electrical Power Production.

a. Commercial Power. The SW ROCC has a 600 kw transformer which has only a 250 kw load factor at present. Large growth is available at no cost to USCS. AT the SE ROCC, their two-story building draws a 525 kw load factor at present and additional transformer capability appears to be necessary for USCS addition.

b. Emergency Back-Up Diesel Power. The SW ROCC has two 600 kw diesel generators and the same 250 maximum load at present; growth available for USCS at no cost. The SE ROCC has the same two 600 kw generators but with approximately 325 kw load factor; growth with USCS on emergency power is available, as the second floor of the building is not on emergency power.

c. Uninterruptable Power Supply (UPS). Each ROCC has two EXIDE UPS along with battery backup to carry the computers and operations room during transition from commercial to diesel power. The SW ROCC has a 180 kw UPS system with only a 25-30 kw load; this supports USCS additions at no cost. The SE ROCC has the same 180 kw capacity (225 kva) with only a draw of 100-140 kva or about 50% of capacity; growth is available to support USCS.

6. Fire Protection.

Each ROCC has both Halon extinguisher protection inside the building for computer equipment areas and water sprinklers for administrative areas and is within a short distance of a 24 hour manned structural fire department. The USCS C3I Centers would need additional Halon systems installed in the new building additions to protect customs owned computers, equipment and display rooms, but at both ROCCs the existing water sprinkler fire protection systems could be extended to the building administrative addition at little cost.

7. Other Utilities.

(a). Water/Sewer/Telephone. As with all Air Force Bases, tie-in to local base water, sewer, and local base telephone systems is relatively simple and rel atively low cost.

(b). Heating/Cooling. The present ROCC structures are at maximum capacity on their heating and air conditioning systems. Separate H.A.C. must be provided for USCS C3I Centers.

8. Security

(a). Visitor Control. Presently provided by an Air Force Security Policeman on a 24 hour guard post at the entrance to each ROCC. The ROCCs are Category B Restricted Areas (AFR 207-1), as such, visitors must have a "need-to-know" and be signed in and escorted. All assigned staff members need a security clearance and a permanent USAF restricted area badge issued for this facility. (NOTE: This is a no-cost security advantage.)

(b). Perimeter Fence. Each ROCC has a chain-link security fence 30 feet from the building providing physical security. The fences are lighted at night and have only one entrance. Each fence would require relocation to accommodate USCS C3I Center building additions to the ROCCs.

(d). Classified Messages. USCS classified messages may be sent and received at the Air Force Communications center on each base. This may provide some no-cost security advantage for planned drug interdiction operations.

Comments Regarding Co-Location of USCS C3I Centers with Existing and Planned FAA Air Route Traffic Control Centers
from Thomas W. Steeves, Colonel, USAF, Ret.

1. Space Allocation: It is doubtful that adequate floor space or console allocation could be made available for a combined JMICC and air interdiction center within existing or planned ARTCCs as the USCS C3I center operations concept is known today.

2. Concept of Operations: USCS has recently decided to centralize command and control of air assets with the Director of Air Operation (East and West). Each DAO is to have his own C3I center from which to plan, marshall, control, direct, and make best use of all assigned and "made available" assets for air interdiction. Going back to the ARTCCs would only fractionalize the control and supervision and would be a step backward.

3. Manpower: This action to colocate with ARTC's would require USCS to maintain 24 hour air interdiction operators at the following centers: Seattle, Oakland, Los Angeles, Albequerque, Houston, Miami, Jakcsonville, Washington, and New York. That is a total of nine centers versus two C3I center locations. USCS is having difficulty manning only two centers for 24 hours and does not have enough manpower to provide pilots for all airframes for even 16 hours per day. (The marine module has similiar manning difficulties.)

4. Radar Inputs: Each ROCC has the hardware/software capacity for inputs from 20 radars in its area of responsibility. This number increases to 25 during 1987 (the SE ROCC is tied to 17 radars, the SW to only 11 radars at present). The ROCCs receive inputs from only "peripheral" radars along the U.S. borders, and are not presently tied to "interior" FAA radars for enroute traffic control or any terminal radars at airports. The capability exists to tie into these radars if they are provided with a "digitizer" and comm link (within the capacity of the present computer system).

The ROCC computer at SW ROCC can add radar inputs from 9 more radars now and a total of 14 later in 1987. These add-ons could be of any type so long as the radar data was digitized (aerostat, mobile, ASR, etc). Both the ROCC computers and FAA ARTCC computers present the radar inputs in a radar mosaic form on one or a series of consoles. FAA has future plans to digitize all airport terminal radars and combine that service into their new area control centers under the national airspace plan. FAA does not, however, plan to mosaic the airport radars with enroute radars on the same consoles. Therefore, a customs operator in ARTCC, under the new FAA center operation, would have to hop from console to console or keep selecting various radars to display individually (should consoles be available).

The plan to centralize USCS C3I center operations and radar inputs in two locations is a prudent and practical solution and does not imply that customs must use the present ROCC equipment nor be restricted by present ROCC equipment limitations. Cost avoidance is the basic factor. By not having to duplicate data lines and equipment for the existing radar sites which are tied to the two ROCCs, USCS avoids enormous sums. These present radar inputs can be transferred to new adjacent C3I center computer equipment which can provide radar displays for as many sites simultaneously as USCS can afford. The SW ROCC is providing USCS with a "Customs Corner" to begin the 24 hour C3 operation in the West. With added radar inputs from mobile assets, airborne surveillance platforms and tracking aircraft, the SW ROCC provides a far superior radar picture in one location than having USCS operators spread out in the following present locations: San Diego Approach Control, LAX, La Posta, Superstition Mountain, Albequerque, Tucson, El Paso, and Houston. One central location for command and control, that is the answer! A similiar line-up could be provided for the SE ROCC, but unfortunately, the operations room does not afford the same space as is available at SW ROCC and Tyndall has a greater operational mission on a 24 hour per day basis than March, which makes use of a SE ROCC operator console considerably less likely on a "non-interferring basis". (Added Note: ARTCCs will not be able to recieve radar inputs from military airborne or seaborne radars - the ROCCs currently have this capability and can share these radar inputs with a C3I center.)

5. Joint Operations. Dod Task Force on Drug Enforcement and the National Narcotics Border Interdiction System (NNBIS) from the Vice President's Staff has been supporting more and more joint/combined DoD customs operations for drug interdiction. This activity is projected to increase. Having the USCS C3I centers co-located/adjacent to the ROCCs provides an enormous support base not shared or possible at any present or planned FAA location. Shared DoD communications, radios and crypto systems alone can be a tremendous asset to drug interdiction. But, the most important factor is the intangible yet essential one; the close working relationship between USCS and Air Force operators within the ROCC. Also, direct and prompt access to DoD assets through military command channels when required to support USCS operations should not be overlooked. This type and style attention to detail would not be available from counterparts and watchstanders at FAA centers who had civilian air traffic control responsibilities.

6. Communications. Undoubtably, some communications would be able to be shared at the present FAA centers by USCS operators. With landlines, the FAA 300 system is often spoken of as a good reason to be in the ARTCCs. Unfortunately, the 300 system is a very old "hard-wired" system, but it does give each ARTCC access to the FACC facilities within its area such as airports, radars, towers, etc. The ROCCs presently have access to this 300 system but only to the FAA controllers on console, within the ARTCC and not thru the system to remoted locations as above. From the ROCC, one must dial on FTS or commercial to access any FAA facility outside the ARTCC building. However, all this will be changing with the advent of the new FAA "Voice Communications Switching System" (VCSS) to be installed at each ARTCC. This will be new digital switching to which the ROCCs will have access. The ROCCs can also speak directly to any high or low sector controller on a voice page hot line or direct dial line within each of the ARTCCs on the border area. On balance, communications from the ROCCs are now better and will be much better in the future.

7. Buildings and Utilities. USCS has decided to embark on the road to centralized Command, Control, Communications, and Intelligence (C3I) in order to improve drug interdiction operations. This effort will be highly successful if the operators have a centralized facility from which C3I can function. Two such facilities are built and operating for air defense purposes at the present. It does not make good fiscal or operational sense to overlook the capability of these two assets as the basis for new USCS C3I centers. In addition to the sharing of communications and radar inputs, one must not overlook cost avoidance in providing such things as normal and emergency or uninterruptable power supply, fire protection systems, water, sewer and security (physical and communications).

8. Summary. The paragraphs above summarize my personal views about co-location of USCS with the ROCCs. While on active duty with the Air Force, I served as Director, SW ROCC from December 1982 through July 1985. During this period, my unit supported the USCS mission wherever possible and saw its C3I capabilities grow in awareness and operational ability. Now retired from the Air Force, but still a taxpayer, I would still like the fledgling C3I system to get the most for the dollar. In my view, co-locating in a building addition to the ROCCs is far superior to any other option.

Thomas W. Steeves
Colonel, USAF, Retired
109 Chestnut Court
Grafton, VA 23692

(Statement for insertion
into the hearing record.)

STATEMENT OF
JOHNNIE C. STOCKS, JR., COLONEL, USAF, RETIRED
Before the
U.S. SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
Hearings on
FEDERAL DRUG INTERDICTION:
COMMAND, CONTROL, COMMUNICATIONS, AND INTELLIGENCE NETWORK

Mr. Chairman, I have been asked by Mr. John Sopko, Deputy Chief Counsel for the Permanent Subcommittee on Investigations chaired by Senator Nunn, to make a statement as to the feasibility of co-locating a U.S. Customs Service C-3I center with the SE SOCC at Tyndall AFB, Florida, instead of locating it at or near the Miami, Florida area.

I was the first Director of the SE ROCC (now called SOCC), having been assigned to Tyndall AFB in July 1982, to bring the new air defense system on line. I retired from the Air Force, leaving the position February 1, 1985. For a short time in the summer of 1986, I worked as a consultant for the Science Applications International Corp. (SAIC) to help prepare a proposal for that corporation in response to the RFP CS-36-053, Core System for Command, Control, Communication, and Intelligence (C-3I) center for U.S. Customs Service. I have attached two biographies listing my command and control background. Hopefully, this will assist your evaluation of my credentials.

First, let me say that I do not agree with the U.S. Customs Service on the need for a National Command Center (NCC) at Oklahoma City, Oklahoma, or any other location at this time. I feel that the two envisioned subcenters, one in the Southeast, and one in the Southwest, will be initially sufficient to get the ball rolling in the Customs C-3I arena and, if manned and organized properly, there will be no need for an NCC. If the first subcenters are successful and other are needed later, then an NCC could be added. If it is determined that an NCC is needed in the initial phase of development, then it could be located with one or the other subcenters saving considerable amount of construction costs and possibly manpower costs. The subcenters, if designed and manned properly is where the action will be and will give us more "bang for the buck" in our war against drugs.

Based upon my 32 years of experience and theoretical background in command, management, development, design, implementation, and operation of C-3I systems, I offer these reasons for locating the Customs C-3I center adjacent to the SE SOCC at Tyndall AFB, Florida:

a. Same radar data needed by Customs readily available and can be easily accessed by Customs computers.

b. Same communications capability needed by U.S. Customs available on a share basis.

c. All communications at SE SOCC scheduled to be upgraded to latest state of the art. I believe that Customs Service could easily "piggy back" into that system.

d. There are numerous retired military personnel in the area who have command and control background and could be recruited to work in and operate the subcenter. This would help overcome the tremendous training problem facing Customs with the new center. The Panama City area is a lower cost of living area than Miami, and personnel probably would be more willing to re-locate to man the center.

e. Being adjacent to the SE SOCC would make required coordination with the air defense system easier. Face-to-face solutions to problem areas could occur.

f. Tyndall AFB could provide considerable support to the new facility. Security, real estate maintenance, and many other support requirements could be furnished at a fraction of the costs required at an autonomous operation in the Miami area.

g. There are many other reasons for co-locating with the SE SOCC. These are listed in a letter prepared by Colonel Steeves, USAF retired, and I totally subscribe to all the comments and recommendations made by him.

In closing, let me say that a much more detailed concept of operations must be outlined than that stated in the U.S. Customs RFP dated 20 June 1986. If not, considerable amounts of money will be wasted using trial-and-error methods in making the new centers work properly toward meeting the goal of reducing the flow of illicit drugs into this country.

Mr. Chairman, thank you for the opportunity to make the above statements. Hopefully, they will be of value to your investigation.

Biography
United States Air Force

23rd North American Aerospace Defense Command Region/Air Division
Public Affairs Office, Tyndall AFB FL 32403, Phone: (904) 283-2965

COLONEL JOHNNIE C. STOCKS, JR.

Col. Johnnie C. Stocks, Jr. is the director, Region Operations Control Center, 23rd Tactical Air Command Air Division, Tyndall Air Force Base, Fla.

Colonel Stocks was born in Tallulah, La., on Oct. 5, 1932. He graduated from Shreiner Institute, Kerrville, Texas in 1949 and obtained his bachelor of science degree in general business from Louisiana Technical University in 1953. Colonel Stocks was commissioned through the Air Force Reserve Officer Training Corps program in 1953. He completed the weapons controller course at Tyndall Air Force Base in 1954. Colonel Stocks received his masters degree from Troy State University, Ala. in 1974.

On graduation from weapons controller school in 1954, Colonel Stocks was assigned as a controller to the 606th Aircraft Control and Warning Squadron, Kangnung, Korea until June 1955. He was assigned from there to the 727th Aircraft Control and Warning Squadron, Myrtle Beach, S.C., as a controller/senior director. In January 1956, Colonel Stocks exercised his option to return to civilian life.

In January 1962, he was recalled to active duty as a weapons controller with the Detroit Air Defense Sector, Battle Creek, Mich. He remained there until July 1963 when he was reassigned to Okinawa at Miyako Jima and Okino Air stations as operations officer until July 1964.

On his return he was assigned to the Montgomery Air Defense Sector at Gunter Air Force Base, Ala., where he served in the exercise branch as sage system training mission officer. In February 1967, he was selected to be an exchange officer with the Canadian Air Defense Command Headquarters at Canadian Forces Base North Bay, Ontario, Canada, where he served for two years as a ground environment officer.

In February 1969, he served as an operations staff officer with the Tactical Air Control Center, North Sector at Monkey Mountain, South Vietnam. On his return in February 1970, he performed as a surveillance and status officer, assistant command director and operations staff officer at the North American Aerospace Defense Command Region Combat Operations Center, Cheyenne Mountain, Colo.

From August 1973 until July 1974, he was a resident student at the Air Command and Staff College, Maxwell Air Force Base, Ala. On graduation he remained there until June 1977 as a faculty instructor.

(Current as of March 1983) OVER

In July 1977, he reported to the 26th Air Division, Luke Air Force Base, Ariz., and served as senior director, chief of standardization evaluation and executive to the division commander.

In February 1980 Colonel Stocks was assigned to the 552nd Airborne Warning and Control Wing, Tinker Air Force Base, Okla. While there he was deputy commander for the 963rd Airborne Warning and Control Squadron and also served as a mission crew commander on the E-3A. In June 1982, Colonel Stocks assumed his present position.

Colonel Stocks' military decorations include the Bronze Star, the Defense Meritorious Service Medal, the Meritorious Service Medal with two oak leaf clusters, and the Air Force Commendation Medal with one oak leaf cluster.

He was promoted to the grade of colonel on Aug. 1, 1981 with date of rank June 15, 1981.

Colonel Stocks is married to the former Shirley Ann Patton of Houston, Texas. They have two daughters and one son, Melissa, Cynthia and Benjamin.

JOHNNIE C. STOCKS, JR.

EDUCATION

Troy State University, M.S., Personnel Counselling, 1974

Louisiana Tech University, B.S., General Business, 1953

PROFESSIONAL SUMMARY

Mr. Stocks has over 32 years of diversified practical experience and theoretical background in command, management, development, design, implementation and operation of C3I systems.

EXPERIENCE

Mr. Stocks is presently serving as a consultant to develop detailed scenarios describing the operations of a command center similar to the Air Force Region Operations Control Centers. He will be consulted in the development of methods or concepts of operations to improve U.S. Customs and other drug enforcement operations; display, workstation, communications and data base requirements will be included.

Prior to joining SAIC as a consultant, Mr. Stocks was Director of the Southeast Region Operations Control Center. He supervised 150 officers and airmen in providing radar surveillance and aircraft control for performing the North American Aerospace

Defense Command Air Sovereignty Mission over 12 states that comprise the southeast portion of the United States.

Previously, Mr. Stocks served as deputy commander of an AWAC squadron of the Tactical Air Command. In that capacity he directed and monitored all flight and mission operations, unit training, communication, and tactical planning.

Mr. Stocks' prior assignments with the U.S. Air Force allowed him to serve in varying aspects of air defense in the continental U.S. as well as overseas.

PREPARED STATEMENT OF JOHN TOMASELLI

My name is John Tomaselli. I am an admiralty lawyer with the firm of Hill, Betts and Nash in New York, and a Lieutenant Commander in the U.S. Naval Reserve. Over the past year, two other Naval Reserve officers, Rear Admiral Richard E. Young, who is an attorney in Denver, Colorado in his civilian occupation, and Lieutenant Commander Michael Griffes, employed by Grumman Corporation in his civilian capacity, and I have spent considerable time studying the federal government's efforts to stop the flow of illegal drugs into the country.

As we delved into the subject, it became increasingly clear that, while the interdiction problem was not insurmountable, the current effort was in large part ineffective because of the lack of an efficient command and control structure and, in no small part, because of politics. As former active duty naval officers with backgrounds in aviation, surface warfare and command and control, we can appreciate the coordination problem posed by drug interdiction. With our civilian backgrounds in law and defense matters, we felt a responsibility to air what in our opinion is the only solution with the potential to succeed in stopping the flow of drugs. To that end, and speaking only as private citizens, we prepared an article for submission to the United States

Naval Institute Proceedings, a professional journal of the naval services. We have since submitted the article to Proceedings, and now offer the results of our efforts to the Subcommittee for whatever assistance it may provide in your deliberations.

MARITIME DRUG INTERDICTION - TIME TO TRY A NOT SO NEW APPROACH

THE GROWING NATIONAL THREAT

Our country is awash with drugs. Increases in cocaine use, the relatively recent introduction of a potent new form of cocaine known as "crack", and a marked increase in cocaine related deaths clearly indicate the serious threat drug use poses to the United States. It is estimated that over 100 metric tons of cocaine may be smuggled into this country each year.[1] Marijuana, although less dramatic in its impact than cocaine, is the most widely used illicit drug in the United States with an estimated 18.2 million users. Over 11,000 metric tons of marijuana are smuggled into the country annually. Opiates and other dangerous illicit substances are also crossing our borders in ever increasing quantities.

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[1] National Drug Enforcement Policy Board, National and International Drug Law Enforcement Strategy - Report to Congress, January 20, 1987 (hereinafter "NDEPB Report). (Statistics reflect data evaluated as of 1985).

In March 1986 the President's Commission on Organized Crime described this $110 billion a year industry as a threat to national security:

> Beyond threats to friendly democracies, international drug traffickers should be considered a threat to our national security because they comprise a direct attack on the physical and social well-being of our country.... The Joint Chiefs should be instructed by the highest levels of government, through a National Security Directive or by other appropriate means, that 'hostile or destructive action from within or without, overt or covert, as used in this definition shall include the airborne, amphibious, and overland invasions of this country by drug smugglers'.[2]

In April 1986 President Reagan signed a National Security Decision Directive designating international drug trafficking as a "national security threat to the United States".[3]

A national consensus exists on the seriousness of the drug threat. Congress and the President committed in excess of a billion dollars to the war on drugs in 1986 while strengthening federal enforcement statutes to combat both the supply and demand.[4] This article examines a primary element of the war on drugs -- interdiction of the drug supply, and specifically maritime sea and air interdiction.

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[2] Report of the President's Commission on Organized Crime, March 1986.

[3] NDEPB Report at 21.

[4] Anti-Drug Abuse Act of 1986, Pub. L. No. 99-570.

INTERDICTION: The Key to Drug Law Enforcement

Perhaps the most important component of the law enforcement effort in the war on drugs is that of interdiction - stopping the drugs before they cross our national borders. To date the nation's interdiction efforts have had only limited success.[5] Vast resources have been expended, including the lives of many dedicated professionals, but the invasion continues. How then can interdiction capability be improved? Are more resources the answer? Or are there other problems with the national drug interdiction strategy that are limiting optimum employment of current resources?

Interdiction operations cross many jurisdictional and geographic boundaries. Because no single authority has been in charge, and because agencies involved have displayed dismaying parochialism, the coordination of available federal interdiction resources has been largely ineffective and inefficient. The acquisition of additional resources may be less important now than more effective coordination of current resources. However, the current lack of effective coordination, though a complex issue, is a problem that can be solved by the Administration under existing law.

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[5] Informal government estimates reflect less than 10% of all illicit drugs destined for the United States are actually interdicted. Reliable data cannot, of course, be compiled. Observers believe the government's 10% figure to be overly optimistic.

SURFACE AND AIR INTERDICTION: Efforts to date

The need for improved coordination of the available drug interdiction resources was recognized as early as 1981, when President Reagan announced the establishment of the National Narcotics Border Interdiction System (NNBIS) in the Office of the Vice President. Although NNBIS has no statutory authority, it has succeeded nonetheless in bringing the prestige of the Office of the Vice President to bear on the problem of coordinating numerous interagency enforcement efforts. The Department of Defense (DoD) has been responsive to NNBIS and has played a much larger role since Congress opened the way, in the 1981 Defense Authorization Act,[6] for expanded use of DoD assets and personnel in support of civilian law enforcement. DoD is now able to fly dedicated drug interdiction support missions, and to provide material, training and logistical support to many non-DoD agencies for the purpose of supporting law enforcement. For example, the Navy currently supports Coast Guard Tactical Law Enforcement Detachments, regularly embarked on board Navy ships in areas where drug smugglers are expected to be encountered.

There is a growing feeling in the Congress that the interdiction effort demands even greater involvement by DoD. In September 1986, the House of Representatives overwhelmingly approved the Hunter Amendment to the Anti-Drug Abuse Bill, then under consideration.[7] This amendment would have granted seizure and arrest authority to DoD and directed the President to deploy sufficient military force, within 30 days of the law's effective date, "to halt the unlawful penetration of United States borders by aircraft and vessels carrying narcotics."[8]

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[6] Pub. L. 97-86, 95 Stat. 1099 (1981).

The President's April 1986 National Security Decision Directive and continued efforts by Congress to legislate increased DoD involvement in drug interdiction are illustrative of a growing consensus that the military may be best suited to provide the coordination and operational capability necessary to have a real impact on the drug smuggling problem. The need for an interdiction strategy which includes the establishment of an effective military command and control organization, capable of efficiently directing scarce federal manpower and equipment assets, has yet to be adequately addressed by those charged with directing federal drug enforcement resources and policy, the National Drug Enforcement Policy Board (NDEPB).[9]

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[7] The vote was 237 to 177 for passage.

[8] The amendment was later dropped in favor of a Senate amendment which imposes a requirement on the Secretary of Defense to provide, within 90 days, a detailed plan of all forms of assistance to be made available to drug enforcement agencies within 90 days. The act was signed on October 27, 1986. Within another 30 days, the armed services committees must approve or disapprove the plan.

A NOT SO NEW APPROACH: The United States Coast Guard

Many proponents of increased involvement by the armed forces[10] view maritime surface and air drug interdiction as demanding a command, control, communications and intelligence (C3I) system under the authority of a single military agency. Ideally, such a military agency should have broad maritime operational and law enforcement experience, and jurisdictional authority to coordinate and focus all federal drug interdiction assets, both military and civilian. The infrastructure for such a C3I system, the broad maritime experience and the requisite jurisdictional authority exists today within a single federal law enforcement agency: the United States Coast Guard.

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[9] The National Drug Enforcement Policy Board was established pursuant to the National Narcotics Act of 1984, 21 U.S.C. §2101 et seq. The NDEPB is a cabinet level board which includes the Secretaries of Treasury, Defense, Transportation, Health & Human Services, State and the Attorney General, as well as representatives of the CIA, the Office of the Vice President and the Director of the Office of Management and Budget. It is charged with overall coordination of strategy and resources for all federal drug enforcement.

[10] There are five federal military services. The Army, Air Force, Navy, and Marine Corp are within the Department of Defense. The Coast Guard is in the Department of Transportation except upon declaration of war, or as may be directed by the President, whereupon it becomes part of the Navy.

The Coast Guard was born over 196 years ago, as the Revenue Cutter Service, for the specific purpose of combatting smuggling. Today the service has many additional responsibilities. The Coast Guard has statutory authority to:

> ... enforce or assist in the enforcement of all applicable Federal laws on and under the high seas and waters subject to the jurisdiction of the United States; shall administer laws and promulgate and enforce regulations for the promotion of safety ...; shall develop, establish, maintain and operate, with due regard to the requirements of national defense, aids to maritime navigation, icebreaking facilities, and rescue facilities...; and shall maintain a state of readiness to function as a specialized service in the Navy in time of war.[11]

This broad charter has evolved over many years and for very practical reasons. The significance of this broad charter, for purposes of the war on drug smuggling is that the task of coordinating all maritime surface and air interdiction for the Federal Government clearly falls within the Coast Guard's purview.

COAST GUARD IN COMMAND: The Power of Coast Guard Boarding and Inspection Authority

Because of the Coast Guard's unique responsibilities, the federal courts have consistently upheld a relaxed application of the Constitution's 4th Amendment search and seizure rule as applied to the Coast Guard. This judicially approved authority is extremely relevant in the establishment of command and control relationships among law enforcement agencies concerned with drug smuggling. Of all federal agencies involved, only the Coast Guard has the statutory authority, for purposes of documents and safety inspections, to conduct boardings and inspections of U.S. flag vessels in any waters, and boardings and inspections of any foreign vessel in United States territorial waters, without any suspicion of criminal activity.[12] All other law enforcement personnel are subject to the more stringent probable cause standard under the 4th Amendment. For example, while all Coast Guard officers by statute are "officers of the Customs" in addition to their unique boarding and inspection authority derived from being Coast Guardsmen, the opposite is not true. U.S. Customs Service officers, therefore, operate with much more limited jurisdictional authority than do Coast Guard officers.

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[11] 14 U.S.C. §2.

Moreover, Coast Guard personnel can, without abrogating their special boarding and inspection authority, use information from whatever source so long as they are not acting merely as the agent of another U.S. government agency.[13] In contrast, courts have ruled that boardings and searches directed by all other federal agencies (e.g. Customs, Drug Enforcement Administration, etc.) and even Coast Guard searches if conducted solely at the behest of another agency, are subject to more stringent constitutional scrutiny.[14]

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[12] United States v. Postal, 589 F.2d 862 (5th Cir. 1979).

In United States v. Guillen-Linares, for example, a shrimp boat was boarded and searched by the Coast Guard while anchored in Tampa Bay. For some period prior to the boarding, Customs had observed the vessel, and concluded that the vessel was involved in drug smuggling. Customs then requested Coast Guard maintain surveillance and advise of any unusual observations. After an uneventful period of observation by Coast Guard, Customs requested Coast Guard board the vessel. The boarding resulted in the discovery of marijuana, and led to the conviction of the crew. During trial, it became clear that Customs had never informed Coast Guard of any of the facts underlying its suspicions and that Coast Guard surveillance itself had revealed nothing inherently suspicious. The court found, therefore, that although Coast Guard had boarded the vessel, "the individuals in the boarding party acted under the direction of the Customs Service and, in the circumstances of the case, were acting in the capacity of Customs agents rather than Coast Guardsman."[15] Because the boarding party had not observed any activity giving rise to an articulable suspicion of criminal activity the board and search was held to be "unreasonable" under the 4th Amendment.

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[13] United States v. Iglesias-Uranga, 721 F.2d 1512 (11th Cir. 1984) cert. denied 104 S.Ct. 1915 (1984).

[14] United States v. Guillen-Linares, 643 F.2d 1054 (5th Cir. 1981).

As this case illustrates, the question of who is in charge of boardings and inspections can be crucial to a successful prosecution. To preclude situations in which the Coast Guard might compromise its broad boarding and inspection authority, the Coast Guard must be in control of all maritime surface drug interdiction operations.

Maritime air interdiction command and control requirements are frequently considered as a separate concern from those needed for the interdiction of surface vessels. While illegal penetration of U.S. airspace is in itself an extremely difficult and distinct tactical problem[16], the commonly used tactic of airdropping contraband to surface vessels calls for closely coordinated combined air-surface interdiction operations directed by one commander. The E-2C

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[15] 643 F.2D at 1056.

[16] The problem of general aviation aircraft being able to illegally penetrating U.S. airspace is of concern to other than law enforcement agencies. The Air Force appreciates the threat implications for national defense and has embarked on an effort to extend low altitude radar detection and surveillance capability over the Caribbean. The Atmospheric Defense Initiative (ADI) is also addressing surveillance concerns in this area.

Hawkeye radar platform, now in the inventory of both Customs and Coast Guard and designed for simultaneous surface and air target tracking at ranges in excess of 200 nautical miles, is fully capable of supporting and coordinating both surface and air command and control requirements. Pragmatic command and control considerations would therefore argue that the Coast Guard should be in charge of all maritime law enforcement surveillance operations, especially when the principal surveillance platform is the surface and air search capable E-2C.

COAST GUARD IN COMMAND: The Statutory Case

Another major reason for the Coast Guard coordinating maritime surface and air drug interdiction operations is its statutory authority to use and direct, with proper agreement, the personnel and assets of other agencies in furtherance of its mission.[17] Under this "made to order" authority, the President can direct the agencies concerned to implement appropriate supporting interagency memoranda of understanding (MOU's) with the Coast Guard designated as the primary nationwide coordinator. These MOUs, to be effective, must define very specific operational responsibilities and protocols for interagency cooperation in rapidly evolving tactical situations.

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[17] 14 U.S.C. §141.

COAST GUARD IN COMMAND: Two Centuries of Experience

Over the years, the Coast Guard has gained significant aviation anti-smuggling experience germane to today's drug interdiction problem. In 1934, in recognition of the requirement to stop the smuggling of alcohol over U.S. borders, the Secretary of the Treasury consolidated departmental air operations by transferring all of the Customs Service aircraft to the Coast Guard, and made the Coast Guard responsible for airborne U.S. border surveillance. Similarly, because of its aviation expertise and mature logistics capability, Coast Guard has been charged for years with providing aircraft support to Coastal and Geodetic Survey operations.

It is equally likely that a consolidation of Customs watercraft (approximately 165) under the Coast Guard would be in the national interest. A recent Treasury study of the Customs marine program found that these forces were not being used to their potential and had important manning and morale problems affecting their capability for sustained operations.[18] As discussed above, Customs Service officers operate their watercraft with much more limited jurisdictional authority than do Coast Guard officers, and thus no inherent advantage exists to support the maintenance of a separate surface maritime law enforcement capability in Customs.

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[18] Frank Ault, Closing the Borders to Drugs: Customs or Coast Guard Mission?, Armed Forces Journal International, November 1986, at 50 (hereinafter "Ault").

MORE BANG FOR THE BUCK: Improving Maritime Drug Interdiction Means an Improved National Defense

There are two additional arguments for emphasizing Coast Guard as the logical coordinator of the maritime air and surface drug interdiction effort. The first concerns the statutory transformation of Coast Guard into a component of the Navy in time of war and as directed by the President. The second concerns the Coast Guard's capacity to train and utilize part-time reserve personnel whenever needed, and at virtually no additional cost to the government.

To fully understand the significance of Coast Guard's relationship to DoD, it is necessary to briefly review the history of the nation's coastal defense efforts, DoD's current defense efforts, and lastly, how this effort offers a pragmatic, cost-effective solution to drug interdiction's most vexing problem: the establishment and manning of a nationwide C3I system.

Coastal defense in the United States has evolved through many phases, responding to the nature of the threat, the types of weapons available, the funds available to provide the defense, the level of concern of the populace and the level of concern of the nation's military and civilian leaders. As concern shifted from sea invasion or bombardment (the last coastal defense guns disappeared for the most part prior to World War II) to air attack and then to missile attack, our defenses also shifted to radar warning networks and fighter intercept aircraft. Coastal defense systems installed during World War II were slowly dismantled or neglected during the 1950s. The Navy's Sea Frontiers coastal defense apparatus, established in 1942, was formally dissolved in 1975, and their responsibilities shifted to the Atlantic and Pacific Fleet commanders. Coastal defense slowly atrophied as the Navy placed increasing emphasis on forward defense and power projection.[19]

In the early 1980s, the recognition of the weaknesses in our littoral defenses led to a decision to involve the Coast Guard directly in coastal defense. In 1984, after several years of joint planning, the Maritime Defense Zone (MDZ) concept was born. The Atlantic and Pacific MDZs are commanded by the Coast Guard Atlantic and Pacific Area Commanders respectively, and manned by both Coast Guard and Navy personnel. In war, each MDZ commander reports to the appropriate Navy Fleet Commander in Chief (CINC). In peacetime the MDZ commanders report to the Commandant of the Coast Guard and, for planning and exercise purposes, to the Fleet CINCs. The MDZ commanders' mission is to plan for and, when directed:

> ...conduct, coordinate and control operations in the area designated as the

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[19] Edward A. Moritz, LCDR, USCGR, Coastal Defense, U.S. Naval Institute Proceedings, Vol. 111/6/988 (June, 1985), at 44-48.

> Maritime Defense Zone, as required, in order to ensure the integrated defense of the area, to protect coastal sea lines of communication, and to establish and maintain necessary control of the vital coastal sea areas, including ports, harbors, navigable waters, and offshore assets of the United States, exercising both statutory and naval command capability.[20]

Although Coast Guard Area commanders are currently discharging their MDZ planning and exercise responsibilities utilizing existing command, control and communications assets, upgrades of these assets are required to integrate the MDZ C3I systems into the more sophisticated Navy Commander Center System. As planned, and if adequately funded, the MDZ command centers will have:

- on line access to military operational and intelligence information;
- capacity to control/coordinate air/surface operations involving multiple assets assigned from military commands and civilian law enforcement agencies; and,
- capability to coordinate air/surface drug interdiction efforts with the appropriate federal and local civilian law enforcement agencies.

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[20] Letter of Instruction for MDZ Atlantic, dated 25 June 1984, Serial 03A/008508, from CINCLANTFLT to Commander U.S. Maritime Defense Zone, Atlantic.

The upgraded C3I capabilities of MDZ command centers[21] would be ideally suited to support the peacetime nationwide real-time coordination requirements of surface and air drug interdiction efforts. Operating under DOD security procedures, the MDZ Command Center system will have instant access to national intelligence resources, thereby providing the full spectrum of appropriate drug interdiction intelligence support to all law enforcement agencies represented at the MDZ command centers. Coordinated operations could be enhanced by

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[21] The fully implemented MDZ organization is expected to have command centers at the following cities (Great Lakes and Western Rivers Command Centers are omitted):

Atlantic MDZ

New York, NY (HQ)
Baltimore, MD
Boston, MA
Charleston, SC
Corpus Christi, TX
Galveston, TX
Houston, TX
Jacksonville, FLA
Key West, FL
Miami, FL
Mobile, AL
New London, CT
New Orleans, LA
Norfolk, VA
Philadelphia, PA
Port Arthur, TX
Portland, ME
Providence, RI
Savannah, GA
Tampa, FL
Wilmington, NC

Pacific MDZ

Alameda, CA (HQ)
Adak, AK
Anchorage, AK
Honolulu, HI
Juneau, AK
Kaneohe (MCAS) HI
Ketchikan, AK
Kodiak, AK
Long Beach, CA
Midway Island
Pearl Harbor, HI
Port Angeles, WA
Portland, OR
San Diego, CA
Seattle, WA

co-location of representatives of appropriate law enforcement agencies, in a liaison role, at each MDZ command center.[22]

The combination of MDZ Command Center facilities with the Coast Guard's statutory authority to implement interagency MOUs provides strong pragmatic support for designating the Coast Guard as the primary, nationwide, military and civil coordinator for maritime air and surface drug interdiction. Such a designation would permit the federal government to concentrate drug interdiction C3I funding efforts on MDZ command centers and supporting facilities. The resulting multi-mission capable MDZ command centers would be immediately available for the national defense in time of war or crisis.

RESERVE PERSONNEL: A Force Multiplier

Another major reason the Coast Guard should be named as the primary nationwide coordinator for sea and air drug interdiction is its capability, unlike any civilian agency, to expand its trained forces as needed, without significant cost increase over budgeted expenditures, through utilization of reserve augment units. With drug interdiction operations being to some degree seasonal in nature, the availability of trained reserve forces enables the Coast Guard cost effectively to carry out major, time sensitive, concentrated operations, while at the same time maintaining concerted sustained pressure in other areas over longer periods of time.

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[22] The benefits of co-location at the MDZ command centers would be realized, of course, only if command relationships and operational protocols between agencies are carefully articulated. The importance of clear, previously agreed command relationships cannot be over emphasized. To be effective these relationships and protocols must be spelled out in supporting MOUs.

Moreover, by virtue of the Coast Guard's military character and mission requirements, personnel can be and are frequently required to work in excess of the "9 to 5" work days characteristic of civilian government agencies. For example, Customs Service aviation is still, essentially, a 40 hour-per-week activity. Although Customs' aviation force manning level was scheduled to approach 400 full-time employees by the end of 1986, civil service manning requirements would mandate a force level of 1,500-1,600 personnel in order to maintain an around-the-clock operation, seven days a week.[23]

The Coast Guard Reserve, now only some 12,500 strong, as much or more than any other armed force reserve component, carries on effective training for mobilization while filling current peacetime needs of the regular Coast Guard. This utilization program stems from a 1969 report of the Appropriations Committee of the House of Representatives, which stated:

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[23] This calculation is based on Civil Service manning factors which require six people for every position to be filled on a 24-hour, seven day basis. Ault at 47-54.

> This committee strongly believes a peacetime mission must be found for the Coast Guard Reserve....
> Since the Coast Guard's numbers are equally applicable in peace and war, Reserve training should be directed to support the Coast Guard programs [namely search and rescue, merchant marine and boating safety, aids to navigation, icebreaking, port safety, and law enforcement] and thus supplement the regular Coast Guard during national emergencies or national disasters.[24]

The training value of interdiction operations to the reserves is obvious - an effective interdiction capability is vital to coastal and port security in time of crisis - and the ability to use trained reservists, which Coast Guard shares with its sister armed services, is totally foreign to any civilian government agency. The Coast Guard reserve will need to be increased in size, but the cost is relatively small compared to the other alternatives.

HOW NOT TO IMPLEMENT A UNIFIED APPROACH

The inherent logic of designating the Coast Guard as the lead agency for coordinating maritime drug interdiction is difficult to refute. Nonetheless, political considerations not infrequently override logic. A case in point concerns the recently passed Anti-Drug Abuse Act. Extraordinary efforts were made, during final deliberations on the bill, to fence funding for air interdiction C3I functions for the exclusive use of Customs, anticipated NDEPB recommendations to the contrary notwithstanding. This effort was successful, and resulted in $118.5 million allocated to the Customs Service to establish C3I centers (a minimum of $25 million is available for air interdiction C3I centers) and to procure aircraft and communications enhancements. Customs Service Air Interdiction Command Centers are currently being planned for Miami, Florida and Riverside, California. At least five additional air interdiction command centers are reportedly contemplated. The Miami and Los Angeles metropolitan areas already possess MDZ facilities that could well use a portion of that $118.5 million to upgrade interdiction support capabilities. One site being considered for the Custom Service's National Command Center is Oklahoma City, Oklahoma, a site whose only distinction is that it is in the home district of one of Custom's principal congressional advocates.

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[24] Alan D. Breed, RADM, USCG, Sea and Space Missions Multiply, The Officer, Vol. LXIII, No. 2 (February 1987) at 98.

The ultimate cost of completing the Customs Service's air interdiction command and control center plan is estimated to be at least $75,000,000.00.[25] The planned system's capabilities will duplicate many of those available in the upgraded MDZ Command Centers. But, as designed Custom's command centers will function in isolation, supporting only the air drug interdiction mission, and incapable of being merged with or used by the military MDZ Command Center system during peace or war.

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[25] As previously discussed, Customs was provided $118,500,000 for C3I, aircraft, and communications enhancements in the Anti-Drug Abuse Act of 1986. Three prime contractors (PRC, Hughes, Eaton) are currently funded at approximately $500,000 each to complete Custom's air interdiction C3I command center and system architecture plans. Industry estimates, based on a 1984 Mitre Corporation study commissioned by the Air Force in support of Customs, and various sources, ranged from $20-25 million to even $50 million per site. These figures could

Like C3I, the interdiction assets have also been subject to the vagaries of politics. The Anti-Drug Abuse Act of 1986 provided nearly $371 million to the Customs Service for drug interdiction enhancements and only $1 million to Coast Guard for similar purposes (overall the bill provided $1.1 billion to Customs and $113 million to Coast Guard).[26] While civilian agencies clearly have responsibilities and expertise in particular areas of drug enforcement, experience indicates the best utilization of interdiction aircraft and sea going patrol craft will be achieved when those assets are operated, maintained and controlled by one agency, and not operated as so many independent forces. Just as these assets should be assigned to support the larger national interest as

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vary greatly, up or down, depending on operational and data processing requirements issues that are not yet resolved. It is expected that construction costs alone will average $4,000,000 per site. [illegible] million is a conservative estimate given seven reported sites.

[26] Frank Ault, CAPT, USN-Ret., "Drug Interdiction - Performance or Politics?", Armed Forces Journal International, January 1987, 42.

the situation warrants (national defense, search and rescue, etc.), they also should be assigned to the agency which can operate them wherever the drug threat axis may be located in the future (southeast or southwest border, over land or water). The Coast Guard's broad authority to operate aircraft in cooperation and support of other agencies should be carefully considered by the NDEPB as a serious alternative to the creation of very expensive specialty law enforcement forces (e.g. Customs) which are dedicated to a single purpose and otherwise unavailable to serve the larger national interest.[27]

SOLUTION

To strengthen the country's drug interdiction strategy, the Coast Guard should be delegated the primary responsibility for maritime air and surface drug interdiction. Such an assignment of responsibility makes sound statutory, fiscal and national defense sense. The Coast Guard's multifaceted anti- smuggling expertise, advantageous statutory base, mature and workable marine and aviation support infrastructure and Maritime Defense Zone Command Center capability, clearly support such a policy decision.

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[27] Customs aircraft include: (4) P-3As, (6) Citation IIs, (5) King Airs, (8) Blackhawk helicopters, (3) Cobra helicopters, (8) Cheyenne IIIs, and (approximately 50) confiscated aircraft of all types, with an annual operating and maintenance budget which has averaged $53 million per year. Ault, at 50.

More importantly, such a decision can quickly be implemented under existing law and without major organizational restructuring. The President has the authority now to (1) designate the Coast Guard as the primary nationwide coordinator for maritime sea and air drug interdiction operations; (2) direct Coast Guard to support the airborne overland surveillance requirements of the agencies as appropriate; (3) direct the other agencies concerned to implement appropriate supporting interagency memoranda of understanding; and (4) concentrate the resources and funds needed for the Coast Guard to carry out its responsibilities. This is precisely what the President must do if the nation is to develop an effective drug interdiction capability.

Mr. Chairman and Members of the Subcommittee, that concludes our presentation. I would like to thank the Subcommittee, on behalf of Richard Young, Michael Griffes and myself, for the opportunity to present our views. If we may be of any further assistance, please don't hesitate to call upon us. Thank you.

EXHIBIT NO. 4

Drug Interdiction—Performance or Politics?

by Capt. Frank Ault, USN-Ret.

Omnibus drug legislation, enacted by the 99th Congress shortly before it adjourned in mid-October, requires the President to submit a comprehensive program designed to interdict aircraft, vessels, and vehicles carrying illegal drugs into the US. It may well be time to ask: "What's going on here?" After nearly 10 years with the drug smuggling problem in full view, the Congress, in a media-hyped, hurry-up legislative exercise on the eve of the 1986 fall elections, passed a drug bill which provided $1.1-billion to the Customs Service and $113-million to the Coast Guard. Nearly $371-million of the Customs monies and $5-million of the Coast Guard's were specifically earmarked for drug interdiction. In addition, the bill provided $322-million to the Department of Defense to purchase equipment to be turned over to Federal law enforcement agencies for drug interdiction. The Navy was directed to turn over an additional $15-million of its Fiscal Year 1987 Operation and Maintenance funds to the Department of Transportation to provide for Coast Guard law enforcement teams on Navy ships. Customs, as the current custodian of the air interdiction mission, will be the beneficiary of $208-million of the DoD funds while the Coast Guard will receive $129-million. This renders the bill's summary allocation of the FY87 funds specifically earmarked for drug interdiction as Customs $579-million and Coast Guard $134-million. Thus, in FY87, Customs will receive, for air interdiction alone, a sum roughly equivalent to its $600-million average annual budget for the past three years.

It is clear that Congress gave little thought to the Coast Guard's ability to contribute importantly to drug interdiction or to the Customs Service's ability to use, well and wisely, the significant increases in its annual budget. Therefore the bill probably created at least as many problems as it solved by failing to provide adequately for the unified participation in the tactical interdiction of drugs by both Customs and the Coast Guard and by providing the lure of money as the incentive for a spirited competition for the lead role in air interdiction.

On November 6, the National Drug Enforcement Policy Board (NDEPB), chaired by Attorney General Edward Meese, reviewed the results of an NDEPB staff study which offered three alternatives for the assignment of air interdiction responsibilities:

- Customs retain primary responsibility for the Southeast and Southwest sectors, assisted by the Coast Guard, which would detect and track airborne smugglers in the maritime environment in the Southeast and then, at the coastline, turn them over to Customs for further tracking and ultimately apprehension and arrest. (The Southwest sector is considered to be the Mexican border from the Gulf of Mexico to San Diego and up the Pacific coast; the Southeast sector consists of the coastal littoral extending eastward from Brownsville, TX, through the Gulf of Mexico and along the Atlantic coast.)

> *"The omnibus drug bill probably created at least as many problems as it solved."*

- Customs retain sole responsibility in the Southeast and Southwest sectors.
- Coast Guard assume primary responsibility for the Southeast and Customs retain sole responsibility in the Southwest.

All alternatives included the assumption that the DoD would continue to provide, as it currently does, radar surveillance and other support of the air interdiction effort.

With respect to the first alternative, however, experts in the technical and operational aspects of air interdiction generally agree that the handoff of air smuggler aircraft in mid-mission, from Coast Guard to Customs operatives, ranges in degree of difficulty from impractical to impossible. The difficulty occurs, in large part, because the required detection; tracking; and communications, command, and control (C^3) interfaces simply do not exist between Customs and Coast Guard facilities, nor could they easily be acquired. A 1984 Customs-sponsored study of command and control requirements by the Mitre Corporation produced a per-facility cost estimate upwards of $50-million. Even with good C^3 facilities in place, however, their effectiveness will be critically dependent on substantial improvements in existing air surveillance capabilities, effective air intercept equipment, and good communications. None of these is simplified by existing Customs-Coast Guard interoperability problems.

Handoff difficulties suggest that a higher likelihood of success would result if each air interdiction mission were to be performed, end-to-end, by a single organization—either Customs or Coast Guard. This is not to suggest that there should not be coordinated and cooperative effort, but it should be an effort which minimizes the mid-mission handoff of suspects between the two agencies.

It's possible, for instance, to assign discrete (unilateral) area responsibilities (Southwest or Southeast) to either the Coast Guard or the Customs, thus assuring a higher probability of individual mission success. The bottom line is that there is more "mission" than can be performed unilaterally by either organization. If the Nation is really serious about drug interdiction, and not just the appearance of activity without measureable results, then the combined assets of all the potential participants must be brought to bear on the problem.

Ostensibly, the President's program required by the omnibus drug bill could include recommended changes in the legislation to permit some redirection of mission responsibilities and resources. Unless there are changes, however, Customs will retain its primary role for air interdiction, with the Coast Guard serving either in a minor supporting role or else restricted, as it is now, solely to marine interdiction outside the 12-mile limit.

Along with the massive infusions of cash and new personnel for Customs, the omnibus drug legislation provides for the modification of Customs' four P-3 Orion aircraft and two Coast Guard C-130 Hercules transports to incorporate a 360-degree airborne surveillance radar. (The most commonly mentioned candidate is General Electric's APS-138 radar, standard in the Navy's E-2C.) Secretary of the Navy John Lehman has consistently opposed the reconfiguration of the Customs' P-3s, apparently because, among other reasons, it would duplicate the surveillance capability now provided by the Navy's E-2C Hawkeye, and because the conversion would reportedly involve $300- to $400-million in nonrecurring engineering costs, costs which the Navy fears it would ultimately be responsible for paying (Aug *AFJ*). (DoD earlier provided four of its Grumman E-2Cs for the drug interdiction effort. Congress, in a Solomon-like decision, allocated two E-2Cs to the Coast Guard and two to Customs.)

Yost

The C-130/360-degree radar reconfiguration was not requested by the Coast Guard. Admiral Paul Yost, the Coast Guard Commandant, says privately that he would prefer to divert the monies earmarked for the C-130 modification to other, more practical programs, such as outfitting the Coast Guard HU-25 Falcon aircraft with an air intercept radar or the acquisition of another E-2C. This could not be done, however, without changes to the omnibus drug bill.

Informed sources claim that the Congressional interest in reconfiguring the two airframes to accommodate the APS-138 radar system is primarily due to the persistent advocacy of Rep. Glenn English (D-OK) and Sen. Dennis DeConcini (D-AZ). English and DeConcini have consistently been the Congress' most visible and vocal advocates of a major air interdiction role for the Customs Service and for installing the APS-138 radar in the P-3 Orion (Aug *AFJ*).

During the deliberations of the NDEPB on November 6, according to a source who attended the meeting, it was clear that Customs is expediting all programs contained in the omnibus legislation in an effort to consolidate its position before any changes could possibly be introduced by the President's program, due in April. Customs recently obligated $8-million for COMINT/ELINT (communications/electronic intelligence) equipment in two of its P-3s. This would support claims of their reputed utility and value in the event of an Office of Management and Budget move to return them to the Navy when the E-2Cs are on hand.

The source noted, further, that a vigorous Customs recruitment effort is currently under way, aimed at doubling the present aviation program personnel complement by the end of 1987. Despite the absence of formal plans for training and motivating this major influx of new personnel for the difficult and potentially dangerous air interdiction mission, Customs officials assert that its air arm will be in a 16-hours-per-day, seven-days-per-week operational status by December 31, 1987. Even after reaching this major milestone, however, under current civil service manning criteria the aviation personnel complement must double again sometime after December 1987, if Customs is to achieve the necessary 24-hour seven-day-week operational readiness posture.

Additionally, Customs appears to be embarked on a program to create an extensive independent C^3 network which will essentially amount to a second North American Aerospace Defense Command. Customs plans for the system to be based in its C^3I centers located in Riverside, CA; Miami, FL; and Oklahoma City, OK. The omnibus bill specifies that the coordination of the establishment and location of its C^3I centers shall be conducted by the Commissioner of Customs together with the Commandant of the Coast Guard, the Attorney General of the United States, and the National Narcotics Border Interdiction System (NNBIS). Inexplicably no coordination is required with DoD, a full partner in drug interdiction and the custodian of the only existing national air defense network. It is little wonder, then, that attendees at Customs C^3I coordination meetings to date have reported that the terms "interface" and "interoperability" are, at this reading, still largely missing in the Customs C^3I lexicon.

Dole

At the November meeting of the NDEPB, Secretary of Transportation Elizabeth Dole strongly argued that the Coast Guard should assume the primary air interdiction mission in the Southeast sector. She faced equally strong advocacy of Customs' claim to responsibility for the entire border by Secretary of the Treasury James Baker. The cabinet-level deadlock resulted in a deferral of NDEPB action pending further attempts to resolve the differences outside the forum of the Board. Ostensibly the final decision as to mission responsibility will be reflected in the President's program.

Baker

In the meantime, Commissioner of Customs William Von Raab has directed his staff to get on with the business of planning and executing the programs mandated by the omnibus legislation. Von Raab makes no secret of his conviction that Customs has sufficient political clout in the Congress to override any actions by the Executive branch to diminish the Customs role in air interdiction.

Von Raab

One of the inferences which can certainly be drawn is that there is a deliberate intent, by the Congress, to minimize and inhibit the role of the Coast Guard in civil law enforcement. At the same time, the diversion and dilution, within the Customs Service, of assets which might be used more effectively in its inspection and investigative activities, will probably result in less-than-attainable productivity at the Nation's borders.

A kilo of cocaine is a kilo of cocaine—whether removed from a smuggler's King Air on an abandoned airstrip or confiscated from a tourist's suitcase. Each government agency should be asked to do what it does best to combat drug importation. Does the Congress want effective drug interdiction or merely the appearance of drug interdiction? If the former, the Nation requires a unified interdiction effort, featuring the proven expertise of all the participants. To ignore the question of performance in favor of politics is to ignore the need to attack the drug problem with the best weapons that can be brought to bear. Considering the hurly-burly, however, perhaps it is time to advise our elected representatives: "As a last resort, use common sense—but only after having exhausted every other alternative."

■ ☆ ■

Frank W. Ault is a graduate of the US Naval Academy and a career naval officer of 31 years. He later served as a consultant to the US Customs Service for nearly five years on its drug interdiction programs and is now in private business. Ault's last article for the Journal *was "Closing the Border to Drugs: Customs or Coast Guard Mission?" published in the November issue.*

EXHIBIT NO. 5

UNITED STATES GOVERNMENT
Memorandum

DEPARTMENT OF THE TREASURY
UNITED STATES CUSTOMS SERVICE

30 September 1986

TO : Deputy Commissioner

FROM : Frank W. Ault, Special Consultant

SUBJECT: Exit Views on the Customs Tactical Interdiction Program

Submitted herewith are my exit (summary) views of the Customs tactical interdiction effort. They are based on direct involvement with this activity since mid-1981: most particularly, the Tactical Aerostat Radar System (TARS) Program, the Siler Committee, and the last two years' intensive activity as a special consultant. Comments are limited to what are considered the most important aspects of the subject.

Although there have been some (modest) increases in assets during the past three years, I view the progress made with operational readiness and performance as negligible. I believe this is substantiated by the tactical interdiction record. Perhaps the most cogent reasons for this are Enforcement's views of goals and objectives which, from my vantage point, have never stressed readiness and performance as essential end products. For example, to the best of my knowledge, neither you nor the Commissioner receive periodic (weekly/monthly) briefings on summary results in terms of 'opportunities' (e.g., detections) versus classifications as probable smugglers versus interceptions versus apprehensions--- with accompanying analyses of satisfactory or unsatisfactory results and recommendations for corrective actions and/or improvements. Use of the AOR as a management tool remains well below its potential. Reports of results in terms of kilograms, pounds, and tons confiscated are meaningless as measures of tactical force readiness and performance.

In the interests of brevity--but at the risk of incomplete development of arguable points--the following constitutes a limited summary of (still) existing problem areas:

1. Planning

Customs continues to live on a hand-to-mouth, year-by-year definition of force structure and financial support. There is no Treasury/OMB-approved long-range (longer than two years) program. Principal Customs staff dependence is on pro tem guidance and direction regularly provided informally by Congressional staffers. You may readily verify this by requesting the Enforcement organization to provide--without prior warning or opportunity to temporize--its planned year-end force levels (equipment and personnel) from now through 1991.

2. Prioritization

Throughout my association with Customs I have contended that the only sensible backdrop against which good budget decisions can be made is one which presents program elements in some order of priority, recognizing that dollar limits will generally (always?) govern and that responsible management will always want to understand--readily and clearly--the impact of its budget decisions. In the prevailing political environment, I believe such an approach would be of further value during the iterative process by which the Legislative and Executive Branches of the Government finalize appropriations legislation. A bonus effect of the prioritization process is that it forces the planning and programming functions.

I cite the FY 1986 Budget for the Aviation Program as typical of what can be expected when the decision-making process gets beyond Customs' control. Loss of control is to be expected, but never loss of influence. Prioritization could provide that.

On 6 March 1986, I provided a suggested Aviation Program Budget in prioritized form. Since the priorities appreciation was my own, I expected changes to be made by Customs management. Nevertheless, I am personally dismayed that higher priority has not been assigned to optimizing the performance capabilities of aircraft already on board. For example, Customs has still not implemented the 1983 recommendation of the Siler Report that voice privacy HF/SSB radios be installed in all frontline tactical interdiction aircraft. Another example is the still pending installation of infrared detection equipment and full night vision capability in the Black Hawks. Finally, my assessment of priorities would probably not have resulted in a second Customs aerostat acquisition in the austere budget environment of FY 1986--much less one in the specific site prescribed for it on the Southwest Border.

Since I have not been a party to the process by which tactical interdiction program priorities are being determined, I must assume that the annual budget is being presented to you in a format which provides some perspective of the alternatives as well as some appreciation of the impact of possible budget decisions. Nevertheless, I believe the outcome supports my conviction that the process of prioritization has not reached its achievable limits.

3. Force Structure

It is physically impossible to cover the border expanse involved with four P-3's, six Citations, eight CHET's (not yet available), eight Black Hawks, and an assortment of nonsensor-equipped miscellaneous aircraft types. The public is being led to believe that such augmentation as increased DoD surveillance activity will pay important dividends. Fifteen Customs intercepts per 24-hour period is probably the maximum sustainable level; therefore, Customs' ability to perform the apprehension function is a seriously limiting factor which no amount of DoD augmentation will offset.

Civil Service manning factors, which will require six personnel per 7 days/24 hours operating position for tactical interdiction, mandate a force upwards of 1,500 FTE's for the aviation operation alone. A 7/16 operation might be possible with 700-800 people. Even if authorized and funded, Enforcement's ability to achieve such major personnel build-ups--in a timely, safe, and effective manner--is questionable.

My best estimate is that a minimum fiscal outlay of $200 million per year for three years would be required to bring the Customs tactical interdiction force even to a 'one-layer-deep' level. It remains to be seen how much of the large cash infusions proposed in the pending omnibus legislation will survive the political process. Much more worrisome, however, is how Enforcement would be able to handle such substantial increases.

4. Leadership and Management

The 1811 reclassification activity has had a serious impact on field morale and performance, at least in the near term. The 'like it or lump it' management modus operandi for 'selling' this program has not helped. It appears to many that the central purpose of this move is to subordinate tactical interdiction to the investigative function. If so--or even if not so--the issue should be clarified throughout the Customs organization.

To the best of my knowledge, there has not been a Headquarters-sponsored meeting of the Aviation Branch Chiefs since June 1985. I am not aware of a single meeting of all field marine supervisory personnel since I have been associated with Customs. My long experience with the type of people and tactical operation here involved is that management by osmosis and remote control simply does not work very well. The reorganization of the Customs Headquarters organization, which included the abolition of the Marine Operations Division, weakened Headquarters' control of limited assets and relegated marine interdiction to an uncoordinated, 'limited/localized warfare' status at the Regional level. There loom similar portents for the Aviation Program where the original justification for an East-West consolidation was the requirement for the close coordination of limited assets without regard to Regional boundaries.

I believe that leadership and motivation of the Aviation Branches would be improved by requiring the Branch Chiefs be qualified, active aviators. Leadership by example is a powerful motivator and regular, first-hand exposure to the operating environment is an important complement to decisive leadership, sensible management and *esprit de corps*.

Hand-in-hand with the relative importance of tactical interdiction as a Customs mission is that the means and manner of its execution are life-threatening. This requires standards of discipline and accountability singularly unique to this activity. Discipline is required to ensure that the mission will be properly executed when it is required and accountability is necessary in order to affix responsibility and to take corrective action when it is not. The accepted military mechanism for this is a clearly delineated chain of command extending from the headquarters through the field organization. Since most would agree that the tactical interdiction mission is, at least, paramilitary in nature, the element of command--fundamental in the military lexicon--is similarly paramount here.

5. Command and Control

This program is currently on a path which will result in what will amoumt to a second NORAD. Collocating one Customs C^3I Center with the NORAD/USAF ROCC at March AFB and then building others at Houston, Miami, and Oklahoma City will be technically complex, operationally awkward, and economically unsound. Since the DoD is Customs' most likely and active interdiction partner--and since the DoD has demonstrated that it is able to control the entire CONUS air defense operation from four C^3 Centers (ROCC's)--the most sensible Customs program would be one which provided 'Customs annexes' to existing DoD C^3 Centers. For the Southern Border these would be at March AFB in California and Tyndall AFB in Florida. There is absolutely no technical or operational reason why two C^3 Centers could not serve all the Customs Regions on the Southern Border.

Before embarking on a large undertaking to incorporate the Marine C^3 element into the structure, Customs should conduct (or have conducted) an objective evaluation of the Miami JMICC/BLOC 'test bed' as originally contemplated. It may be that local control of marine operations--especially in the unique smuggling environment of Southern Florida--might be desirable, but this has yet to be conclusively demonstrated. Certainly an important facet of the tactical interdiction operation must be close coordination and good communications with State and local law enforcement agencies and with the Coast Guard. Such arguments have been vigorously advanced during Customs' advocacy of a C^3I operation in Miami (instead of Panama City) but evidently bear lesser weight in Oklahoma City or along the Gulf Coast or Southwest Border.

As much as anything else, the 'evolutionary acquisition' being essayed for the Customs C^3I Centers places the onus for systems definition and technical specifications on industry and not on Customs. This should work provided Customs has enough technical acumen to recognize what it wants when it sees it. In the long run, however, it will probably render the program management job a much more difficult one than for a 'bid to specifications' procurement.

It is worth noting that Customs still has not heeded the recommendation of the Siler Committee that selected Headquarters acquisition managers attend the Defense Management School at Fort Belvoir in order to enhance their mastery of (very essential) project management skills. The C^3I Program will require the very best.

6. Battle Management

Possibly the most serious deficiency in the tactical interdiction operation is the lack of hour-to-hour, minute-by-minute 'battle management' at the border. The various tactical entities are left pretty much to their own devices, strategies and tactics. The result is localized guerrilla warfare instead of a fully orchestrated, continuous, coordinated border war under central command authority. This is primarily due to the lack of effective C^3 facilities; however, the correction of that deficiency will require the concurrent establishment of a clearly delineated, fully accountable C^3 organization with carefully defined individual authority and responsibilities at all levels: Washington to the field.

The "flex force strategy", approved in principle by the Commissioner in September 1985, is an important element of future battle management, particularly in a limited resources environment. Planning (and, hence, progress) in this area has been slow in developing. Although dependent on good C^3, much of what must be done needs not wait on final solution of the C^3I problem.

7. Intelligence

The limited assets for tactical interdiction intensify the need for intelligence of all kinds, particularly good tactical intelligence. Despite considerable effort and activity, there has been little discernible improvement in the quality and quantity of tactical intelligence since the Siler Report. Even if such intelligence were available, the means for passing it to the operating forces in a timely, effective, and secure manner do not exist. At this time, no clear definition has been made of the "I" function in the C^3I Centers, nor is it clear whether Customs will do this or leave it to industry.

8. Technology

Tactical interdiction is an area of activity rife with potential for improvements through technological advancements. During the past two years I have pressed for Customs' examination of the potential of Over-The-Horizon Radar, Underwater Sound Technology, and The Global Positioning System. Despite the readiness of the DoD to assist with Customs' investigations of any of these, there have been no Customs' initiatives. This is due partly to pressure by Congressional staffers against the first two and lack of interest by Enforcement Support in the other. It is unrealistic to expect that Customs could or should sponsor extensive R&D programs. It should, however, budget for enough money to explore the adaptability of what is going on elsewhere in government and industry. Moreover, it should have someone specifically charged with doing this, full time. The three items cited are only the tip of the iceberg. The performance of functions, such as the absolutely indispensable one of sorting, is critically dependent on the application of the fast-growing technologies of data processing and telecommunications.

9. Professionalism

Professionalism is the cornerstone of competence, confidence and 'can do'. It is the sine qua non of readiness and performance. The prevailing attitude in Customs is typified by the often-heard statement: "This isn't the DoD". This is, ostensibly, meant to be interpreted in terms of comparative sizes, resources, experience, etc. None of those has anything to do with attitude and aptitude which are not strictly the provinces of the DoD. The point is that the techniques and technology of tactical interdiction are mostly DoD-derived and much of the Customs equipment comes from the DoD. Therefore, Customs has little choice except to emulate the professional approach to operational employment essayed by its DoD contemporaries.

A key consideration is training. Any day during which there is not completed at least one carefully controlled and observed, full-scale intercept training flight at each Aviation Branch, or at least one JMICC/BLOC-controlled training marine intercept, is a day wasted. While lack of monies for training is an obvious problem, the lack of appreciation of the importance of training is reflected in the budgeting process. The lack of command/management pressure on training programs, schedules, evaluations, and follow-up is equally--if not more--debilitating. This has serious safety implications, not to mention its inevitable reflection in operational readiness and performance.

Training is only one of several areas where the development of professionalism in the tactical interdiction force can be attacked directly within Customs, sans wistful looks at the DoD. Others include (but are not limited to) standardization, doctrine, and discipline. If more DoD knowledge and experience are required in Customs (and I believe they are), then increased emphasis should be placed on hiring suitably qualified ex-DoD personnel or by petitioning the DoD to establish a few key military billets within the Customs Service.

Professionalism is not a vested asset; it must be acquired. The strong tendencies--which I have observed--to go it alone, resist change, and treat most recommendations for improvements as attacks on personnel and positions (not problems) have essentially stymied the development of professionalism. Tactical interdiction cannot reasonably be expected to succeed without it.

10. Security

Security remains, as reported by the [illegible] Committee in 1983, "largely notable by its absence". The aviation units have since been outfitted with the DOD-provided KY-28 and voice privacy HF/SSB radios are being procured for some of the marine units. However, internal radio and telephone communications in the clear remain the mainstay of today's limited C^3. Communications interfaces with other agencies (e.g., State and local police and Coast Guard) are open conduits for information to the outside. Even rudimentary steps, such as pro tem letter-number substitutions or the use of time-sensitive code words and phrases, would help. In addition, straightforward, major improvements could be made in sensitive document classification, accountability, handling and storage. Headquarters (and field) word processing networks invite open dissemination to people who do not "need to know". So long as marine and air operations are conducted only part of each week, duty cycles are easily discernible by any casual observer. I have yet to observe a security patrol, or even the most elementary security protection, at any field aviation flight line or marine boat mooring. It is clear that law enforcement efforts, ranging from the highly publicized (in advance) U.S. anti-drug foray in Bolivia to routine daily operations, are being compromised and inhibited by security lapses and breaches. Security is a prime example of an area where the "this isn't the DoD" explanation simply doesn't hold water. Customs is capable of correcting, unassisted, ALL that is wrong with security.

11. P3/APS-138 vs. the E2C

The record clearly shows my strong advocacy of the E2C over the P3/APS-138. It appears that political considerations are completely overshadowing sound technical judgment. Customs top management should satisfy itself that it has the right answers to the following questions:

1. Why are the Lockheed cost and time estimates so out of line with Navy estimates?

2. Can the conversion job really be done without a systems integration laboratory? How much of the P3/APG-63 integration experience is relevant, considering the several orders of magnitude increases in complexity of the APS-138 over the APG-63? What is Lockheed's track record with this specific type of complex integration?

3. What will be the comparative technical performance characteristics of the P3/APS-138 and the E2C/APS-138? There is a presumption that they are identical--or, at least, not significantly different. Some measurement of similarity might be made by asking if a Navy-trained E2C Naval Flight Officer (NFO) will be able to assume duties as a P3/APS-138 NFO without indoctrination or further training.

4. Why must Customs have the APS-138 now instead of the APS-125, considering that most of the differences between the two are not relevant to the Customs mission? (The APS-125 is, in fact, a longer range radar than the APS-138. The APS-125 could always be upgraded to the APS-138 later, if required.)

5. What is the basis for the eight-hour-plus Customs surveillance mission requirement being advertised by Lockheed? P-3 mission times to date have averaged less than six hours. Is Customs planning to provide, regularly, overtime pay for P-3 crews on eight-hour-plus missions?

6. The E2C requires special support equipment (SSE)--particularly for engine starting and for the checkout and maintenance of its avionics suite. Of these, the SSE for avionics support is the most complex and expensive. How does Lockheed propose to support

its hybrid avionics suite? How much will it cost? Who will maintain and operate the SSE? Traditionally, aerospace companies have been able to recoup at least part of what is lost through low bids up front by building up the SSE bills later on.

7. What Navy commitments can be negotiated to provide intermediate and depot level maintenance support for a hybrid aircraft which is neither a P3C nor an E2C? Since Secretary Lehman has expressed formal opposition to the P3/APS-138 program, what cooperation is it reasonable to expect?

8. What are the long-term Navy supportability forecasts for the P3A overall, considering that components, such as the Dash Ten engine, are no longer in a front-line support category?

9. Is Customs capable of assimilating either the P3/APS-138 or E2C, considering its total lack of prior experience with such complex machines?

10. What would be the wartime utility of the P3/APS-138 as compared with the E2C? What is Customs national defense role in the event of hostilities? How difficult would it be for the DoD or Coast Guard to assume wartime custody of the P3/APS-138?

11. Why is the American taxpayer being asked to bear the costs of putting Lockheed into the world AEW aircraft marketplace when the United States already has two proven, viable candidates (viz. the Boeing AWACS and the Grumman E2C)?

12. What is the Customs internal management scheme for the P3/APS-138 program?

13. What real protections are there in a firm fixed price contract if it is finally discovered that the finished product won't do the job without further substantial investment?

Summary

Since conclusions and recommendations are implicit in much of the foregoing discussion, I will confine my remarks hereinafter to the central issue: "What should be done with tactical interdiction as a Customs mission?"

The bottom line is that performance and readiness gains in aviation operations have not been proportionate to the growth in force structure during the past three years since the Siler Report. That growth has included: three P-3's, four Citations, seven Black Hawks, one aerostat, and 100+ people--with eight CHET's to go. Even with that growth, there remains far too much job and far too few assets. You may accept my reasons for the lack of more progress, or you may accept your staff's, but you cannot be satisfied with the operational results which are the same for both explanations. The plain and simple fact is that Enforcement has neither the will nor the ability to solve some of its most critical problems with air interdiction. Money alone will not cure what is wrong--and may, in fact, only create additional, more difficult problems.

Customs marine interdiction activity is still focused mainly in the Southeast sector and expansion plans have been slow in developing. The JMICC/BLOC is extremely limited, both in functional capabilities and range of C^3 influence. Definition of its significance as a 'test bed' for future marine C^3 development is still pending. It appears that Enforcement still considers marine interdiction to be a Regional problem, not requiring nationalized command and control. While this may be the rational (and correct) appreciation of marine interdiction, care must be taken not to revert to the same treatment for the aviation program. Limited assets can be divided only a limited number of ways and concepts of operations which transcend Regional boundaries are necessary in order to maximize utility and effectiveness.

Massive infusions of cash and skilled personnel will be required to bring the tactical interdiction force structure up to only a 'one-layer deep' organization, nationwide, operating 24 hours a day, 7 days a week. The build-up must include a capable 24/7 C^3I system, scoped on a national--not a Regional--basis and fully interfaced with all the other agencies involved with tactical interdiction. The definition of the program is still dependent on the precarious balance between operational necessity and political expediency.

While it may have been the correct strategy for the early, difficult years of this decade, it is time for Customs to ask how much longer it should rely primarily on outside (the Executive Branch) political influences in order to garner tactical interdiction assets. The political climate is changing rapidly and the influence of the National Drug Enforcement Policy Board bids fair to dominate... provided it survives the assault on its existence proposed by Senate Bill S. 2798. In any event, Customs' interests for the long haul would probably best be served by cementing its relationships within the Executive (not the Legislative) Branch of the Government.

With major legislative changes in the offing, Customs should doff its parochial hat and ask how it can best contribute to the unified national assault on drug trafficking. The track record shows that the time, money and effort devoted to tactical interdiction by Customs forces has produced only marginal returns. That same record also should be examined for what it says about Customs' ability and readiness to manage, responsibly and effectively, the massive infusions of cash anticipated for aviation and marine force build-ups. Moreover, it is fair to ask that even if authorized and funded, is Customs capable of recruiting, training, and absorbing the hundreds of skilled personnel required, at an acceptable rate?

Finally, it is front page news that other elements of Customs--outside the tactical interdiction operation--are seriously overcommitted and that there is worse to come. Therefore, it appears appropriate to ask, also, if it makes sense to continue to persist with an activity which, on the basis of past track record and foreseeable problems, bids fair to fall short of national drug war goals and objectives when the redirection of the assets (especially personnel) into areas of established excellence and expertise might reap much greater national benefits--including a net increase in the quantity of narcotics intercepted by Customs at the national borders.

In the final analysis, the ultimate responsibility for the overall performance of the Customs Service lies, solely and exclusively, with its Commissioner. When the current media hype dies down, and when the Congress later asks what resulted from its legislative package on drugs, it is the Commissioner who will be held accountable for the record. That record will not particularly distinguish between a kilogram of cocaine discovered during an incoming cargo inspection or one removed from a Queen Air on an abandoned airstrip. What the Commissioner must be ready to show is that he has made the best allocations of, and has managed well and wisely, the public assets placed at his disposal.

On 2 September, I submitted to you a White Paper dealing with the relative merits of tactical interdiction as now being conducted versus the assumption, by the Coast Guard, of total mission responsibility. Since, among other things, there is no clearly defined role for the Customs aviation and marine forces in the event of hostilities, the central issues, for the long term, are national security and the best sustained bang for the taxpayers' buck.

Recommendation

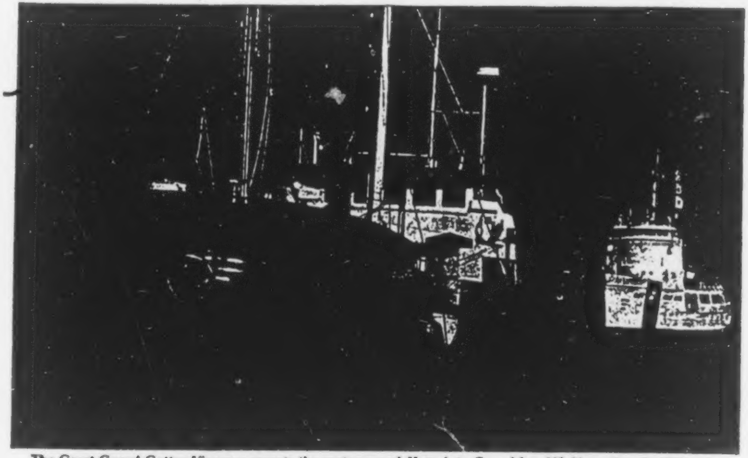
My principal recommendation--and one which completely overshadows all others--is that Customs take such initiatives as may be appropriate to transfer its tactical interdiction mission, in its entirety, to the Coast Guard...NOW before the massive infusions of money and people (apparently in the offing) achieve less than they could in an enlightened environment where national interests transcend all others.

Frank W. Ault

Frank W. Ault

EXHIBIT NO. 6

Closing the Border to Drugs:



The Coast Guard Cutter *Vigorous* escorts the motor vessel *Hetty* into Cape May, NJ, November 3, 1983, after a boarding party discovered 11 tons of hashish on board. (Official Coast Guard Photo.)

Customs or Coast Guard Mission?

by Capt. Frank Ault, USN-Ret.

The potential availability of Navy E-2C Hawkeye surveillance aircraft for exclusive use in drug interdiction has sparked a controversy over who should own the planes, the Coast Guard or the US Customs Service. But the controversy goes beyond ownership of the E-2Cs to the more important question of who should be responsible for the air and marine interdiction of drug traffickers in the face of a massive new US commitment to fight the drug traffic problem.

In a recent letter to the National Drug Enforcement Board's Policy Group, Assistant Treasury Secretary Francis Keating suggested that the substantial commitment of new drug interdiction resources now contemplated by the Administration and Congress "should go to the agency that pioneered through the years and developed the expertise and systems in the arena." Keating, of course, was referring to his candidate, the Customs Service, an arm of the Department of the Treasury.

Whether the Department of Transportation has advanced similar arguments for its claimant, the Coast Guard, is unclear. But Coast Guard Commandant Admiral Paul A. Yost has made a strong bid for the E-2C aircraft about to be assigned, and that bid must be considered indicative of the Coast Guard's intent to claim its share of the growing assets for the tactical drug interdiction mission.

The Navy has taken a strong position in favor of assigning any E-2Cs available for drug interdiction to the Coast Guard. Its principal arguments, expressed in a recent high-level memorandum, are that:

- The Coast Guard is the logical choice because it is a military organization with a civilian law enforcement mission.
- The E-2Cs would be available for DoD use at mobilization because the Coast Guard would go under Navy direction at that time.
- Because the Navy would be, in effect, paying for the aircraft, it is reasonable for DoD to expect some use from them, if only for possible future mobilization.

Both Navy and Coast Guard officials are mindful of the active support of some Members of Congress, particularly Sen. Dennis DeConcini (D-AZ) and Rep. Glenn English (D-OK), for a further buildup of the Customs aviation and marine forces. These legislators have strongly advocated an expensive program to convert P-3 Orions, now being flown by Customs, to accommodate the APS-138 radar which is standard in Navy E-2s.

Customs would then continue to employ the converted P-3s in lieu of E-2Cs. Assignment of the E-2Cs to the Coast Guard and their commitment mostly to off-shore marine surveillance, in direct support of Coast Guard operations, could even bolster the Congress-Customs case for the P-3/APS-138 because it might be argued that the Coast Guard E-2Cs were not properly, or fully, supporting Customs surveillance needs at or near the Nation's borders, particularly on the landlocked southwestern border.

The E-2C assignment problem is under active consideration by the National Drug Enforcement Policy Board, chaired by Attorney General Edwin Meese. Some board members view the E-2C ownership issue as symptomatic of broader questions of mission responsibilities and capabilishould be settled now before proceeding with further major budget increases and personnel buildup for tactical drug interdiction.

E-2C

Despite those questions still to be considered by the Administration and Congress, there appear to be compelling reasons for the Coast Guard's assumption *now* of the total responsibility for air and marine drug interdiction. Loss of the mission by Customs would not adversely affect any ongoing Customs activity and would, in fact, permit Customs to augment its efforts in other areas of more traditional expertise. Customs does not now have the infrastructure equipment or command and control organization required for tactical drug warfare at the Nation's borders. They must still be acquired if it is to participate in that mission.

Worse, massive infusions of money and manpower would be required for an air and marine Customs force which today has a peacetime-only role. The techniques and technology of tactical interdiction have evolved mainly from military operations. The mission can best be performed by military personnel against a law enforcement backdrop, not by civil law enforcement personnel trying to perform the type of mission at which the military has traditionally excelled.

Since early 1981, Frank W. Ault has been a consultant to the US Customs Service in its drug interdiction programs, most recently as Special Consultant for Tactical Interdiction to the Commissioner. A US Naval Academy graduate, Ault's naval career spanned 31 years, including command of the aircraft carrier USS Coral Sea.

A Threat to National Security

There are numerous indications that the public is steadily increasing its awareness of how serious the drug problem is, and there is a growing national consensus that something must be done about it. The President and Mrs. Reagan have made a television appeal to the American public. The Congress also is working on omnibus legislation to provide an across-the-board assault on drug trafficking and use.

The President's Commission on Organized Crime, in its March 1986 report, "America's Habit: Drug Abuse, Drug Trafficking and Organized Crime," stated:

> Beyond threats to friendly democracies, international drug traffickers should be considered a threat to national security because they comprise a direct attack on the physical and social well-being of our country. . . The Joint Chiefs should be instructed by the highest levels of government through a National Security Directive, or by other appropriate means, that "hostile or destructive action from within or without, overt or covert, as used in this definition shall include the airborne, amphibious and overland invasion of the country by drug smugglers."

In early April, the President issued a classified National Security Directive, ostensibly motivated, in large part, by the Commission's views of the national security implications of drug trafficking. The Directive intensified the focus on participation in drug interdiction by the Defense Department.

DoD involvement has been growing steadily since a 1981 Congressional modification of the Posse Comitatus Act of 1878 clarified the conditions under which the military can support civil law enforcement operations. Although DoD forces still cannot make arrests, they may legally perform many of the functions involved in the direct interdiction of drug smugglers, including intelligence activities, radar surveillance, interception, and tracking. For calendar year 1985, DoD reported that it had devoted about 10,000 flight hours to drug interdiction—and anticipates an equal or greater degree of involvement for 1986.

The Coast Guard is unique among its uniformed contemporaries because it has a statutory responsibility for law enforcement and is empowered to make arrests as well as perform other functions of civil law enforcement. The Coast Guard has a long history, amounting to national primacy, in antismuggling operations. It is currently responsible for US drug interdiction operations on the high seas (past the Nation's 12-mile territorial sea). In addition, the Coast Guard provides special teams on Navy ships to perform the civil law enforcement functions when smugglers are intercepted by Navy ships.

The Customs Service is the government agency with the principal responsibility for interdicting waterborne drug smugglers inside the 12-mile limit and for interdicting airborne drug smugglers at the national borders.

Customs Airborne Assets Limited

Although the Customs Service can point to contraband interdiction operations, using confiscated aircraft, as early as the 1930s, modern tactical interdiction operations more properly commenced in 1973 when Customs was loaned four Navy S-2F Trackers and four Army OV-IC Mohawks by DoD. However, these aircraft lacked the flight performance capabilities and the onboard target detection and tracking equipment required for effective air interdiction. Customs marine interdiction operations have followed the same general pattern as air interdiction, with primary resort to the use of underequipped, poorly performing, confiscated watercraft. Beginning in 1985, however, Customs began a long-range program for the acquisition of new watercraft, better qualified for marine interdiction tasks.

Today the Customs aviation inventory is comprised of:

- **Four P-3As** on loan from the Navy, equipped with the APG-63 air intercept radar, also used in the Air Force F-15, and the AAS-36 FLIR;
- **Six Citation II** aircraft (two owned and four leased) outfitted with APG-66 air intercept radar, also used in the Air Force F-16, and the AAS-36 FLIR;
- **Five King Airs** (confiscated aircraft) equipped with the AAS-36 FLIR;
- **Eight Blackhawk** helicopters on loan from the Army, not sensor-equipped;
- **Three Cobra** helicopters on loan from the Army, not sensor-equipped;

P-3 Orion equipped with a prototype radar rotodome.

- **50 (approximately) confiscated aircraft** of all types, not outfitted for tactical interdiction operations; and
- **Eight Cheyenne III** aircraft called CHETs (Customs High Endurance Trackers) to be delivered prior to the end of calendar 1986 under a Customs contract issued in 1984. These aircraft will be equipped with the APG-66 radar and the AAQ-16 FLIR.

Of the current Customs aircraft inventory, only the four P-3s and six Citations are equipped with the requisite sensor suites for the tactical interdiction mission. The Blackhawks, although classified by Customs as "frontline" interdiction aircraft, are not sensor-equipped, nor are they outfitted with modern night vision systems for around-the-clock operations. None of the other aircraft in the Customs inventory may be considered frontline because of the lack of sensor suites, inadequate performance, or other reasons. Even more startling, of the Customs aircraft inventory of frontline aircraft, only two are owned. The remainder are either leased or on loan.

Mexican Navy Strengthens Antidrug Force

The Mexican Navy has doubled its force of German light helicopters to 12 for its work (in association with neighboring forces, including the US Coast Guard) against drug smugglers.

Messerschmitt-Bölkow-Blohm has just delivered six BO-105 helicopters costing $10-million. They will be shipborne on Mexico's Halcon-class corvettes for use in spotting and marking suspicious vessels.

MBB is also delivering one of its larger BK-177 helicopters to the Puerto Rican Rapid Force Action Group next month, also for use in the war against drugs. ■ ☆ ■

Moreover, even with the addition of the CHETs, Customs will have a total of only 26 frontline aircraft to cover the vast 3,000-mile expanse of the United States' southern border where air interdiction operations are now focused. Customs has no aircraft suitably equipped and dedicated to the support of marine operations.

Unfortunately, these facts have failed to surface in the recent publicity centering on expansion of DoD's role in drug interdiction. The bottom line is that end-to-end performance of the air interdiction mission, with an arrest as the ultimate product, is severely limited by Customs' limited ability to respond to smuggler detections which DoD surveillance activity can generate. No amount of further DoD involvement, or additions to the Customs inventory of surveillance systems (aircraft and/or aerostats), can change that without a substantial buildup of the aviation forces available for those air interdiction functions which must be performed solely by Customs. It is this shortfall which prompted one exasperated Customs field aviation manager to remark recently: "How in hell can we know whether air interdiction works? We haven't done any yet."

> *The Coast Guard is unique among its uniformed contemporaries because it has a statutory responsibility for law enforcement and is empowered to make arrests as well as perform other functions of civil law enforcement.*

Customs Personnel Shortfall

Customs aircraft availability is no less an obstacle to effective mission performance than the availability of personnel. Customs aviation is still, essentially, a 40-hour-per-week force. Although the aviation force manning level is scheduled to approach 400 full-time employees by the end of 1986, Civil Service manning factors mandate a force level of 750-800 personnel for a 16-hour operation, seven days a week, and a force level of 1,500-1,600 personnel for an around-the-clock operation, seven days a week. This is based on Civil Service manning factors which require six people for every position to be filled on a 24-hour, seven-day basis.

Moreover, Civil Service regulations, union contracts, and budgetary limitations impose significant constraints on the use of personnel. Finally, the techniques and technology of tactical interdiction have been developed primarily by the military, suggesting that the job can best be done by military people using military equipment. These factors raise basic questions about the practicability of performing the tactical interdiction mission with Civil Service personnel.

Marine Interdiction

For the marine interdiction mission, Customs currently owns approximately 165 watercraft of all kinds. About 35 of these are radar platforms which, along with two high-speed chase boats, comprise a "marine module." Approximately 430 personnel are currently assigned to the Customs marine interdiction force. As with the aviation force, a substantial personnel buildup would be required in order to progress to a 24-hour, seven-day readiness status.

Customs marine operations are concentrated in the southeastern United States, particularly in Florida.

Even there, however, a recent Treasury-sponsored study of the Customs marine program concluded that forces available were not being used to their potential, that the lack of dedicated air support was a serious deficiency, and that there were important manning and morale problems affecting the capability for sustained operations.

Customs points, with justifiable pride, however, to the spring 1985 Blue Lightning marine interdiction operation in the Southeast involving Customs, state and local law enforcement agencies, DoD, the Coast Guard, and the Bahamian government. Drug seizures during the three-and-one-half-week period of the Blue Lightning operation were unprecedented. A basic problem, however, is that it is impossible to sustain, for more than a few weeks, the level of Blue Lightning activity in the face of prevailing constraints on resources (people, equipment, and money). Smugglers, even if caught by surprise, are able to defer or redirect their drug shipments until the special operation runs its course. Some measure of the effect of sustained performance may be inferred from reports of drug seizures through marine interdiction operations, which indicate that approximately one-third of what is being reported has been found adrift, washed up through the surf, or abandoned.

A typical single sweep of an Air Force AWACS or Navy E-2C aircraft radar during daylight hours any day in the Miami area can produce 1,000 to 1,500 returns, denoting marine targets. The single most difficult problem in marine interdiction is identifying the smugglers in this large volume of traffic. Good intelligence, the automated sifting of a large body of historical data, good command and control, and reliable, secure communications are prime requisites. None of this is simplified by a change in law enforcement jurisdiction at the 12-mile limit.

In February 1986, Customs opened its Joint Marine Interdiction Command Center (JMICC), alternatively dubbed the Blue Lightning Operations Center (BLOC), in Miami to perform the C^3 function for Customs marine operations in southern Florida. Coast Guard participation in the enterprise, while not specifically prohibited, was not particularly solicited and has not matured to any great extent. The JMICC-BLOC is the only facility of its kind in the Customs Service. Plans for the expansion of Customs marine C^3 beyond the Miami area have not yet been developed. The Customs C^3I program just began emerging with a competitive procurement during the summer of 1986 to select three contractors (PRC, Hughes, Eaton), one of which will eventually be chosen to oversee the design and building of the Customs C^3I system. The program is being strongly biased by political pressures from Capitol Hill which reportedly will result in Customs C^3I centers in Riverside, CA, Houston, TX; Miami, FL; and Oklahoma City, OK. Links with the existing Air Force-NORAD C^3 structure for continental air defense, or with the Coast Guard C^3 operation, or with any other agency involved in drug interdiction have not yet been defined.

From a comparative standpoint, the Coast Guard has a much more matured C^3 capability nationwide, derived from its responsibilities for sea-air rescue, fisheries law enforcement, national defense, anti-smuggling, and other functions. Interoperability, not particularly stressed by Customs, is an integral element of Coast Guard C^3.

Customs at a Critical Crossroads

In considering whether there should be a change in tactical interdiction horses at this stage of the game, neither the Coast Guard nor Customs is aggressively seeking any increases in the scope of present missions. In recent speeches and interviews Admiral Yost has cited his many problems in matching mission with people and money. The Customs Service and its Commissioner, William von Raab, were featured in a recent *Washington Post* series which indicated that Customs is at a critical crossroads. Within the next five years, Customs will be facing a significant increase in workload caused by a growing volume of formal entries, air passengers, cargo, and total persons. Customs also envisages that the continuing national demand for narcotics will increase or, at least, continue at its present level and that attempts to smuggle narcotics into the United States will continue to rise.

Despite such forecasts, and until recent signs of legislative concern began to emerge, Customs has been committed to meeting its responsibilities with no increases in budget, inspections, or enforcement programs. At the same time, Customs has estimated that implementing its C^3I program alone would require upwards of $60-million of new money and the commitment of more than 100 additional highly qualified personnel. To this must be added massive infusions of cash for new equipment and the hundreds of people required to bring the Customs tactical interdiction forces up to a 24-hour, seven-day readiness level.

The time for decision is now—before any further major investment in the buildup of forces for the tactical interdiction of drugs.

The Customs O&M budget for its aviation program has averaged about $53-million a year for the last three fiscal years. While the costs of the marine program are not segregated in the Customs financial system, it is estimated that the annual fiscal outlay for marine acquisitions and operations is about one-third to one-half of that for the aviation program. Neither of these includes personnel-related costs. Customs estimates are that an annual budget of at least $200-million per year, for each of three successive years, would be required to bring the Customs tactical interdiction force to only a "one-layer-deep" level completely across the southern border of the United States. This would approximately double the size of the present aviation force, provide modest upgrades and modernization of the marine force, fill some of the existing gaps in surveillance coverage of the border, and provide a baseline command and control system.

Coast Guard to the Rescue?

With this type of capital investment in the offing, not to mention the recurring costs for operations and maintenance, it is, perhaps, time to ask if the Nation does, indeed, need yet another air and maritime organization - particularly one for which there is no combat role in the event of hostilities. The Coast Guard's extension of its marine interdiction responsibilities to the United States shoreline would be a natural and logical one. The Coast Guard's assumption of the air interdiction job, on the other hand, would pose more serious problems because of its relative inexperience with air interdiction, shortages of trained personnel, and the absence of an adequate inventory of properly equipped aircraft, even if suitable elements of the existing Customs air force were absorbed. Offsetting this, however, would be the Coast Guard's mature, in-place aviation and marine infrastructure and a good baseline C^3 organization with established interfaces with DoD. Perhaps the most compelling argument of all is the Coast Guard's ability to perform the tactical interdiction mission around the clock, with manpower levels substantially below those mandated by Civil Service regulations and union contracts.

The Customs case is materially weakened by manpower considerations alone. Even if authorization and funding were obtained for the substantial personnel buildup required, Customs' ability to recruit, train, and absorb such a large body of skilled personnel at a rate greater than 100 per year is questionable. Also questionable is whether the Nation can afford either the time or money for a Customs buildup. On the other hand, Customs' relief from the tactical interdiction mission at this time could free up at least 600 personnel who could be transferred to other critical areas, such as inspection and investigation, where Customs has traditionally excelled. By better concentration in areas of established expertise, Customs might even increase its drug seizures overall. (It would not take much of an increase in other activity areas to match the yield from the Customs tactical interdiction program to date.)

In fact, the tactical interdiction record continues to raise questions of the necessity for this function in the composite array of national assaults on drug trafficking. Treasury and OMB advocacy of tactical interdiction have traditionally been weak, as evidenced by the Administration's budget requests to date. On the other hand, there is evidently emerging firm support for tactical interdiction within the National Drug Enforcement Policy Board. Moreover, the omnibus legislation now before the Congress includes numerous provisions augmenting this activity. As evidenced by that legislation, however, the national capability for the tactical interdiction of drugs will require substantial investment in growth and development. Therefore, the question of allocation of these new resources is a timely one.

The time for decision is now—before any further major investment in the buildup of forces for the tactical interdiction of drugs. The central issues are national security and the best sustained bang for the taxpayers' bucks.

■ ☆ ■

EXHIBIT NO. 8

U.S. Department
of Transportation
**United States
Coast Guard**

Commandant
United States Coast Guard

Washington, DC 20593
Staff Symbol: (G-C)
Phone: (202) 267-2386

December 11, 1986

Honorable Stephen S. Trott
Associate Attorney General
Chairman, National Drug Enforcement
  Policy Board Coordinating Group
United States Department of Justice
10th & Pennsylvania Avenue, N.W.
Room 4119 - Main
Washington, DC 20530

Dear Mr. Trott:

This letter sets forth agreements reached on three issues central to the Southeast Border operations currently under review by the National Drug Enforcement Policy Board. I request that you, as chairman of the Coordinating Group, present these to the Policy Board for ratification on Friday, December 12, 1986. I would be pleased to assist in this presentation if you desire.

As agreed at the December 9 meeting of the Coordinating Group's ad hoc Steering Committee, I hosted a meeting of Coordinating Group principals to resolve three issues that remained outstanding from the November 6 Policy Board meeting. Coordinating Group principals in attendance at Wednesday's Southeast Border Subcommittee meeting were: Chapman Cox (DoD), General Olmstead (DoD), Bill Rosenblatt (Customs), Frank Keating (Treasury), Janet Hale (DOT), John Lawn (DEA), Ken Schwartz (OMB), Howard Gehring (NNBIS), and Patrick Tarr (Recorder). VADM Ed Martin (USN) attended from Navy Air for his expertise in aviation hardware. I hosted the meeting and acted as moderator rather than chairman allowing me to advocate Coast Guard and DOT positions. The following agreements on the issues were reached:

A. Agency Role Responsibility in the Southeast Region — we agreed unanimously as follows:

Detection	Coast Guard (primary)/Customs
Interception	Customs/Coast Guard
Tracking	Customs/Coast Guard
Apprehension	Customs (primary)/Coast Guard

A suggestion by OMB to assign primary responsibility for interdiction according to geography (i.e. Customs has land borders; Coast Guard has maritime environment, surface and air; DEA has foreign environment such as the Bahamas) was not accepted and should perhaps be pursued in relation to the requirements of the Drug Interdiction Section of the FY87 DoD Authorization Act.

B. Joint Operation of the Southeast Region C3I Center — we agreed unanimously as follows:

(1) Ownership and administration of the Southeast Region C3I center belongs to Customs

(2) There will be joint command and control of C3I Center operations by Customs and the Coast Guard in the Southeast.

(3) Customs has agreed to locate the Southeast C3I Center at the Brickel Building (in Miami) provided that the center can be accommodated on one floor.

(4) As stated in the Anti-Drug Abuse Act of 1986, the appropriateness of full planning partner roles for the Coast Guard, NNBIS, and the Attorney General together with Customs in the design, establishment, and location of C3I centers was affirmed.

Considerable debate ensued over definition of "joint command and control." We further agreed to our best "good faith effort" in working out an effective operational structure. It should be emphasized that location in the Brickel building is essential, and GSA may hold the key. The full weight of the Policy Board may be needed to secure the appropriate space and assure the joint command and control of the Center.

C. Associated Aircraft Assets — we reached a consensus as follows:

(1) Customs and Coast Guard both have a mission requirement for a long-range surveillance aircraft. (OMB objects; DoD abstains).

(2) The E-2C is the only available surveillance aircraft with 360° radar.

(3) Until Customs and Coast Guard mission requirements are met, Navy will loan (subject to other National Security Restrictions) two E-2C's to Customs and two E-2C's to the Coast Guard.

It is especially important that this agreement on E-2C's be ratified by the Policy Board. Since the E-2C issue was reflected as "deferred" in the Board's November 6 minutes, the Navy has ceased execution of the reprogramming until the Board affirms that 2-2 split.

I would note that the Subcommittee members were unanimous in preferring that all E-2C's be operated by one agency. However, determining which agency is inextricably tied to the P-3 and C-130 issues that are yet to be resolved.

I am delighted with the consensus that came from the three and one-half hour meeting. If the Board ratifies these agreements, and if we are successful in getting appropriate C3I space in the Brickel building, all parties can move forward in making substantial improvement to the federal government's air interdiction capabilities. Your continued strong leadership as Chairman of the Coordinating Group is essential.

Sincerely,

Paul A Yost Jr

Admiral Paul A. Yost, Jr.
Commandant, U. S. Coast Guard
Moderator, Coordinating Group
Subcommittee on Southeast Border
Issues

Enclosure

cc: Francis Keating
William von Raab
Chapman Cox
General Olmstead
John Lawn
Janet Hale
Howard Gehring
Carol Crawford

[illegible]

[illegible]

Congress of the United States
Office of Technology Assessment
Washington, DC [illegible]

March [illegible], 1987

The Honorable Sam Nunn
Chairman
Permanent Subcommittee on Investigations
of the Committee on Governmental Affairs
United States Senate
Washington, D.C. [illegible]

Dear Mr. Chairman:

During the hearings you held on Federal drug interdiction on March [illegible] 1987, [illegible] *The Border War on Drugs*, [illegible]

First, [illegible] *The Border War on Drugs*, [illegible]

In addition [illegible]

Second, we believe the report to be accurate. A preliminary draft of the study report was circulated in October 1986 to concerned Federal agencies (including the Customs Service, Coast Guard, and Drug Enforcement Administration) for review and comment, particularly with respect to the completeness and accuracy of data and other factual material. The report was also reviewed by an OTA advisory panel whose membership included four former high ranking officials of drug law enforcement agencies. Corrections and additions suggested by both groups were duly incorporated in the final version of the report.

Throughout the study, we enjoyed cordial working relationships with Customs, Coast Guard, and DEA personnel at all levels. They were cooperative and prompt in responding to our requests for information, including supply of supplemental material and data analysis for our specific use. In February 1987 the Drug Enforcement Policy Board published their annual report. The staff of the Policy Board had reviewed the draft OTA report and, in common areas of descriptive coverage, the Policy Board's report is very similar to OTA's.

Finally, we believe our page 3 chart to correctly reflect actual roles of the Federal agencies, including Customs and Border Patrol. The OTA study states that the U.S. Customs Service is the lead agency for interdicting drugs and apprehending smugglers at and between ports of entry. Customs carries out the bulk of interdiction activities at land border ports of entry. The OTA study also states, correctly, that despite the statutory responsibility of Customs, the Federal unit most actively involved in interdiction between ports of entry along land borders is the Border Patrol, under the Immigration and Naturalization (INS), U.S. Department of Justice. **It is that active role of the Border Patrol that our chart illustrates**.

Despite their lack of statutory authority, the Border Patrol has become the primary agency involved in intercepting smugglers and drugs brought into the U.S. across land borders between ports of entry. Patrol officers are usually the only Federal personnel present in these areas. The usual procedure has been for the Border Patrol to turn over drug cases and drug-related information to other agencies for investigation and prosecution. Most Border Patrol personnel are stationed at border crossings and checkpoints along transportation routes up to 100 miles away from the borders. Total Border Patrol manpower is approximately 3,700 with about 3,200 officers deployed in Southwest border sectors.

Operation Alliance was officially inaugurated in August 1986 to coordinate anti-drug smuggling efforts in the Southwest. As stated by the National Drug Enforcement Policy Board, Border Patrol agents deployed along the Southwest border "will serve as the principal interdicting force for both drug smugglers and illegal aliens crossing between the ports of entry" as part of Operation Alliance.

Under Operation Alliance, arrangements have been made between INS and Customs, and between INS and DEA, to give some Border Patrol officers the authority to search specifically for drugs and arrest violators, duties ordinarily reserved to Customs under Title 19 and DEA under Title 21 of the U.S. Code. Most Border Patrol officers are being cross-designated by Customs, and all Border Patrol officers have been given DEA cross-designation. A team of DEA and Border Patrol officers has been established to conduct brief, intensive operations in regions with high levels of smuggling activity.

In sum, we know of nothing that has occurred since the information-gathering stage of our study to alter any of the key findings, options, or discussions of major issues contained in our report.

Thank you for the opportunity of supplying this information for the record.

Sincerely,

Peter A. Johnson

EXHIBIT NO. 13

CURRENT DOD SUPPORT TO CIVILIAN LAW ENFORCEMENT

U.S. Navy

E-2/OV-10/USCS

Navy E-2's provide aerial surveillance for the U.S. Customs Service. Geographic areas of interest include the Caribbean, the Mexican border, Gulf of Mexico, the offshore waters of Florida and California. Frequently U. S. Marine Corps OV-10's are co-based with the E-2C's. When the E-2 gains radar contact on a suspect aircraft (an aircraft not conforming to airways or demonstrating erratic movement, etc.), the E-2 will request the launch of an OV-10 which it vectors in to trail the suspect. The OV-10 interceptor will visually identify, evaluate, and track the suspect by day and will use its forward looking infra-red (FLIR) detection system at night. OV-10's in coordination with the E-2 will contact the U.S. Customs Service which will launch either a fixed-wing interceptor or a UH-60 Blackhawk helicopter on loan from the Army to make the arrest when the suspect lands.

P-3/S-3/USCG

Navy P-3's fly long-range surface surveillance tracks throughout the Caribbean, Gulf of Mexico, coastal Atlantic Ocean areas, in the Yucatan Passage and Pacific coastal areas. S-3's flying from San Diego, California fly surveillance tracks off California and Mexico as well as the Mexican border adjacent to California, New Mexico and Arizona. Contacts of interest are passed to U.S. Coast Guard cutters that are positioned tactically along various regional chokepoints. Coast Guard cutters coordinate with and receive authorization from the Department of State to conduct search and seizure of suspect vessels.

U.S. Air Force

E-3A AWACS/USCS

USAF E-3A, Airborne Warning and Control System (AWACS) fly aerial surveillance missions similar to Navy E-2s. Frequently USCS radar operators and air intercept controllers are embarked on AWACS. When a suspect aircraft is detected, OV-1 Mohawk or other USCS "interceptor" aircraft are launched to identify the suspect. Turnover can be made to UH-60 Black Hawk helicopters with civilian law enforcement personnel on board. Upon landing, USCS agents will search, seize and apprehend as appropriate.

B-52/US Navy/USCG

USAF B-52 strategic bombers support U.S. Navy carrier battle groups and surface combatant task groups. B-52's conduct joint training with the Navy in offensive anti-surface warfare strike operations. This training, flown under the "Busy Observer" program, provides excellent anti-drug surface surveillance as an adjunct to normal military operations. B-52 sorties search transit zones for drug-laden motherships which can later be intercepted and seized by offshore USCG cutters.

C-130/USCG

USAF and USAF Reserve C-130's conduct maritime surveillance. Some missions are targeted against known drug-laden motherships. C-130's will continue tracking such ships until USCG cutters complete their intercept. Other C-130 missions conduct surface surveillance of high-density drug trafficking lanes. Suspect vessels are reported to the USCG.

UH-1N/Operation BAT (Bahamas and Turks)

USAF crews fly two UH-1N helicopters stationed in the Bahamas. These helicopters provide quick insertion of Bahamian drug enforcement teams on drug apprehension missions.

U.S. Army

The Army is a supplier of loaned equipment to federal civilian drug enforcement agencies, including aircraft such as:

8	UH-60	Blackhawk helicopters
2	OV-1D	Mohawk (with Forward Looking Infra Red Sensor)
4	AH-1G	Cobra helicopters
16	OH-6	spotter helicopters
6	C-12C	King Air (authorized for delivery in FY86)

Operation HAWKEYE

Operation HAWKEYE, a training initiative, developed by the Army Intelligence Center and School, Ft. Huachuca, AZ, is designed to present real-world situations in a training environment. By modifying selected flight tracks in the OV-1D Mohawk training program, students are required to conduct missions along the US-Mexico border between Douglas and Nogales, Arizona. During these missions selected target areas are imaged with the Mohawk's camera system. Information collated from comparative analysis of the imagery, as well as selected photographic prints, is provided to the Patrol Division of the Customs Service for inclusion in their intelligence data base. In FY85, 72 HAWKEYE missions were flown.

Operation GROUNDHOG

Operation GROUNDHOG is an end-of-course comprehensive test developed by the Army Intelligence Center and School at Fort Huachuca. Two primary courses, ground surveillance radar and ground sensor operations, comprise GROUNDHOG. Ground surveillance radar students are placed in a real-world, high-stress training environment on the US-Mexico border in the vicinity of Yuma. The students spend one week in the field conducting the majority of their training during the hours of darkness. The ground surveillance radar is used to detect and track targets crossing the border. As targets are detected, information is passed to the Border Patrol for their action (at no time are Army personnel involved in apprehension or detention). Ground sensor operations students deploy and monitor ground sensing devices capable of detecting the movement of personnel, vehicles, and aircraft. In FY85, GROUNDHOG was conducted 20 times with 518 targets detected, resulting in 176 apprehensions.

In addition to the enthusiastic response from the Border Patrol for these programs, responses from field commanders have indicated the quality of trained soldiers has significantly increased as a result of participation in this training.

Additional Support

Army/National Guard

The Army and National Guard provide a variety of additional support to drug enforcement agencies including: loan of night vision imaging systems; specialized training, including use of ground radars; rifle and pistol ranges by drug enforcement personnel; and special forces-type training, including rappeling. The Army's new land reconnaissance course provides personnel and equipment intelligence for use by drug enforcement agencies.

Navy/Marine Corps

The Navy provided: radar services, ship services including PHM hydrofoils which embark USCG tactical law enforcement team (TACLETS), and the towing of drug vessels (permits USCG cutters to remain onstation). The ship sighting program is one in which Navy vessels are on lookout for suspects listed in the Coast Guard's Special Interest Law Enforcement Lookout Summary. Four surplus P-3A's were transferred to Customs. These aircraft are configured with Air Force radar enhancing Customs surveillance capability. The Marine Corps provides mobile ground radar surveillance as well as anti-personnel intrusion detection.

Air Force

The USAF operates two aerostat radars located at Cudjoe Key and Patrick AFB. These radars provide effective look-down capability against low-flying aircraft. Both aerostats are digitally linked to the Customs Service Miami Command, Control, Communications (C^3) facility, the Tyndall Region Operations Control Center (ROCC), and the Navy's Fleet Air Control Surveillance Facility at Jacksonville. Two additional aerostats will be turned over to the Customs Service for use in Arizona and the Bahamas. Various electronic equipment is loaned including over 120 Vinson encryption devices to the Customs Service.

In 1985 the USAF flew several additional missions supporting drug enforcement. On occasion, U-2's provide aerial photography aiding drug enforcement intelligence. RF-4C jet aircraft provide airborne reconnaissance of airstrips suspected of being used by drug traffickers.

Additional Multi-Service Support

A total of 43 Army, Navy, and Air Force personnel provide expert assistance to six National Narcotics Border Interdiction System (NNBIS) Regional Centers in addition to the NNBIS headquarters in Washington, D.C. Two additional DoD personnel are assigned temporarily to assist in establishment of the seventh regional center at Honolulu, Hawaii.

NNBIS coordinates the activities of federal agencies which have responsibility for interdiction of seaborne, airborne, and cross-border drug traffickers. NNBIS monitors suspected smuggling activity originating outside national borders and destined for the United States. It also coordinates the seizure of contraband and the arrests of persons involved in illegal drug importation.

DOD AIRCRAFT AND MAJOR EQUIPMENT PROVIDED, LOANED OR PROCURED FOR DRUG LAW ENFORCEMENT (FY86$)

		Aircraft	Avg Unit Cost	Total
Army	8	UH-60	4.2M	33.6M
	4	OV-1D	2.0M	8.0M
	16	OH-6*	.5M	8.0M
	6	C-12C	2.3M	13.8M
	4	AH-1G	.5M	2.0M
				65.4M
Navy	4	P-3A	13.075M	52.4M

		Other Major Equipment		
Army	28	Night vision sighting devices	6.8K	.19M
Navy	11	Infra Red Detecting Sets (AAS-36)	500K	5.5M
Air Force	4	F-15 radars	3.0M	12.0M
	4	F-16 radars	700K	2.8M
	90	Vinson Secure Radios	3.5K	315K
	5	Parkhill Secure Radios	9.0K	45K
				20.85M
		TOTAL DOD		138.65M

*Immigration Naturalization Service/Border Patrol

MILITARY SERVICES AVIATION SUPPORT TO DRUG LAW ENFORCEMENT

FY 1986

U.S. ARMY

Aircraft Type	OV-1D	UH-60	Total
Sorties	24	291	315
Hours	72	1822	1894

U.S. NAVY

Aircraft Type	E-2*	P-3*	S-3	Misc.	Total
Sorties	370	780	27	8	1185
Flight Hours	1638	6663	95	18	8614

* Includes Active and Reserve

U.S. MARINE CORPS

Aircraft Type	OV-10	RF-4	Total
Sorties	335	3	338
Flight Hours	845	5	850

U.S. AIR FORCE

Aircraft Type	UH-1N	C-130*	E-3†	Misc	Total
Sorties	748	63	78/404	18	1311
Flight Hours	886	507	428/2585	63	4469

* Includes USAF Reserve
† Includes "designated" and "watch" flights

DOD TOTALS

Sorties	3,149
Flight Hours	15,827

EXHIBIT NO. 16

NATIONAL DRUG ENFORCEMENT POLICY BOARD
MINUTES OF MEETING
DECEMBER 18, 1986

Chairman Edwin Meese III convened the meeting of the National Drug Enforcement Policy Board at 10:00 a.m. in the Roosevelt Room of the White House. Minutes of the December 12, 1986 meeting were distributed for review and will be acknowledged at the next meeting.

By way of introductory remarks, the Chairman noted that future Policy Board meetings will be scheduled at 10:00 a.m. on the third Thursday of every month.

Captain Kenneth Thompson of the Policy Board Staff gave a brief presentation on the highlights of the Drug Law Enforcement Strategy; a final draft had been provided to Board members at the December 12 meeting. The Chairman indicated that a short chapter on organization and coordination would be added and the draft would then be distributed a final time for review. He added that there would be a 72-hour turn-around time and that if no substantive comments were received, the document would be submitted for publication before the next Policy Board meeting. He concluded by praising all the agencies and the Staff for their cooperation in writing the document.

Mr. George Dunlop, Assistant Secretary for Natural Resources and Environment, Department of Agriculture, indicated that while the principal strategy of the Forest Service will continue to be marijuana eradication, it intends to place added emphasis on assisting law enforcement agencies charged with the responsibility of identifying criminals who grow marijuana on Federal property. A discussion followed on the importance of our domestic eradication campaign. It was noted that our efforts in this area are an important factor in being able to convince foreign countries to do their part. The Attorney General stated that eradication shall remain the centerpiece of our domestic cannabis strategy, and that DEA and the Forest Service would ensure proper coordination through a Memorandum of Understanding (MOU).

Ms. Carol Crawford, Associate Director, Economics and Government, Office of Management and Budget, provided a preliminary look at the FY 1987 and FY 1988 resources devoted to drug enforcement. She cautioned that the totals were conservative estimates pending resolution of two matters before the Board and receipt of final budget figures from one or two agencies. Ms. Crawford noted that the FY 1988 budget will contain less money in absolute dollars than that of FY 1987. This is because the FY 1987 total includes (1) "one-time" DOJ grants ($225 million) to State and local governments for law enforcement purposes and (2) money for a number of capital expenditures which will not appear in the FY

1988 figures (e.g., aerostats, C^3I facilities, ASIC/EPIC). She noted that interdiction continued to receive the largest share of the funds devoted to all strategy components.

There was some discussion that these figures represented an understatement of the Administration's commitment in the area of interdiction because they did not include capital expenses for DOD equipment operating in support of drug interdiction. Ms. Crawford noted, however, that the figures did include some capital expenditures. The Chairman expressed the desire that budget figures on drug enforcement resources continue to be portrayed in two parts: operating costs and capital expenses (excluding DOD capital expenses).

The Chairman then addressed the Southeast Border Study. After reiterating matters on which consensus had been reached at the 6 November Policy Board meeting, the Chairman asked Associate Attorney General Trott to report on the results of a recent meeting of selected Coordinating Group principals. The meeting was hosted by Admiral Yost on 10 December to resolve the remaining Study issues. Mr. Trott presented the results of that meeting from a letter provided by the Admiral. A discussion of the issues followed with the following resolution:

(1) Regarding agency responsibility in the Southeast Region, Coast Guard has primary responsibility for detection (Customs has a secondary responsibility); Customs and Coast Guard will share interception and tracking responsibility; Customs has primary responsibility for apprehension (Coast Guard has a secondary responsibility).

(2) Regarding the E-2C's, the Chairman noted and the Board affirmed, that Congress had mandated that Navy loan two E-2C's each to Customs and Coast Guard. The Chairman stated that he would send a letter to Secretary Weinberger requesting that this decision be executed. He further stated that the Board would review the utility of the 2-2 split of the E-2C aircraft in one year.

(3) Regarding the retrofit of the P-3 with a 360° radar, the Board concurred in a Coordinating Group plan that it establish a subcommittee under the direction of Chapman Cox, Assistant Secretary of Defense for Force Management and Personnel, to provide recommendations to the Policy Board on the mission requirements of the Customs Service and Coast Guard for long-range surveillance aircraft, and the most cost-effective manner to meet such requirements consistent with other national security interests. The Chairman asked for a report by January 31, 1987.

(4) Regarding C^3I centers, Customs and Coast Guard had agreed to the following:

- o Ownership and administration of the Southeast Region C^3I Center belongs to Customs.

- o There will be joint command and control of C^3I Center operations by Customs and the Coast Guard in the Southeast.

- o Customs has agreed to locate the Southeast C^3I Center at the Brickell Building in Miami provided that the center can be accommodated on one floor.

- o As stated in the Anti-Drug Abuse Act of 1986, the appropriateness of full planning-partner roles for the Coast Guard, NNBIS, and the Attorney General together with Customs in the design, establishment, and location of C^3I centers was affirmed.

Further discussions of these issues ensued with the following results.

- o The Chairman instructed the Coordinating Group to monitor the establishment of the C^3I System and to ensure that joint command of the Southeast Center is fully realized. If problems develop, the Coordinating Group is expected to prepare options for the Board.

- o Assistant Secretary of the Treasury Frank Keating stated that the Southeast C^3I center would be located at the Brickell Building.

- o Mr. Keating also announced that the marine C^3I facility at Houston would continue to be developed and Coast Guard was invited to participate. Admiral Yost responded that the Coast Guard would consider this immediately.

- o Mr. Keating noted that Treasury had agreed with OMB not to establish a national C^3I center at Oklahoma City.

The Chairman expressed his appreciation to the Coordinating Group and the Departments of Treasury and Transportation for reaching agreement on this complex issue, and noted that this was an excellent example of how the Board and the Coordinating Group could resolve difficult coordination and policy matters.

Mr. Stephen Trott, Associate Attorney General, then reviewed for the Board the results of an ad hoc Steering Committee's revie of the Coordinating Group functions. The Steering Committee confirmed the current Coordinating Group structure which represents all agencies having an interest in drug enforcement matters. While this large group appears cumbersome, it guarantees that all voices are heard in the review of important issues. The Steering Committee concluded that a smaller Executive Committee was not needed since the Coordinating Group had effectively utilized ad hoc subcommittees in various areas to facilitate the decision-making process (e.g., Operation Alliance, High-Technology Subcommittee, Southwest Border Subcommittee, U.S.-Bahamian Task Force Subcommittee, the U.S.-Mexican Intergovernmental Commission), and the Intelligence Information Sharing Subcommittee.

The Chairman thanked Dr. Carlton Turner, who recently resigned his position as Director of the White House Drug Abuse Policy Office, for his extensive contributions to drug enforcement and offered him his best wishes. Mr. John C. Lawn, Administrator, Drug Enforcement Administration, noted that DEA's Sports Drug Awareness Program (an attempt to reach youth through their high school athletic departments) has now been adopted in five countries; Mr. Lawn paid tribute to Dr. Turner's efforts in launching this successful program.

In his concluding remarks, the Chairman asked Staff Director Patrick H. Tarr for a monthly update for Board members on planned or recently introduced legislation on drug matters. He reviewed the reports due in January in accordance with the Anti-Drug Abuse Act of 1986 and reminded members that a copy of all reports must be sent to the Staff which will serve as a central repository. Finally, he asked Dr. Turner, Secretary William Bennett, and Secretary Otis Bowen to meet with him to discuss means to facilitate integration of the demand and enforcement strategies.

The Chairman adjourned the meeting at 11:00 a.m.

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[illegible]

[illegible]

Thank you for your continued support of the U.S. Customs Service's drug interdiction efforts. I look forward to continuing the excellent working relationships that have been established for the implementation of the Bahamas Task Force.

Yours faithfully,

William von Raab.

Admiral Paul A. Yost, Jr.
Commandant United States Coast Guard
Department of Transportation
Washington, D.C. 20593-0001

Enclosure

HELICOPTER SPECIFICATION:

To meet the operational needs of the Task Force with regard to apprehension helicopters, the Office of Aviation Operations recommends they meet the following specifications:

1. Cruise Speed: 145 KNOTS (loaded, at sea level)
2. Pay Load: 1,400 lbs. (2 pilots, 4-man bust crew and 200 lbs. of gear).
3. Passenger Seats: 4 or more (with space for gear)
4. Endurance: 4 hours or more
5. Range: 400 nautical miles or more
6. General: Twin turbine engines, emergency flotation devices, fully IFR capable, hoist equipped, night vision goggle capable and Loran equipped.

EXHIBIT NO. 23

U.S. Department
of Transportation
**United States
Coast Guard**

Commandant
United States Coast Guard

Washington, D.C. 20593-0001
Staff Symbol G-C
Phone 267-2380

January 2, 1987

The Honorable William von Raab
Commissioner of Customs
Washington, D.C. 20229

Dear Commissioner:

I received your letter of December 24, 1986 with a mixture of pleasure and alarm. I'm pleased to see the Bahamas Task Force effort moving along smoothly. Certainly, it's important that we move swiftly.

Your last paragraph, however, caused me some alarm. Phrased as it was, it would lead one to think that the Subcommittee agreed that Customs should spend $6M on three new helicopters. I am told that no such agreement was reached. In fact, a good case was made for using Air Force surplus helicopters, thereby avoiding the $6M expenditure. It appears to me that the $6M could be put to better use equipping the surplus CH3E's with appropriate intercept equipment and covering the operating expenses associated with the Bahamas interdiction effort.

I recognize that H3's are not in the current Customs inventory, but they are in mine. I have agreed with Ambassador Hallett that we would operate the Air Force H3's in the Bahamas operation.

I must take a strong position against the Customs Service straying farther and farther from U.S. shores. I appreciate the fact that $10M was put in your budget for the Bahamas Task Force but there is nothing in the legislation that requires that those funds be spent for Customs assets. I feel certain that the Congress would allow those funds to be transferred to another agency if it were shown that it is in the best national interest. Inasmuch as the drug trafficking in the Bahamas is not per se a U. S. Customs mission, it makes sense that the funds should go to whatever purpose the Task Force determines is best.

I therefore urge you not to commit any of those $10M until the Task Force Subcommittee has made its proposal and it has been approved by the Policy Board.

Sincerely,

P A Yost

P. A. YOST
Admiral, U. S. Coast Guard
Commandant

EXHIBIT NO. 24

US Department
of Transportation

United States
Coast Guard

Commandant
United States Coast Guard

Washington, DC 20593-0001
Staff Symbol (G-C)
Phone 267-2390

5 January 1987

The Honorable Ann B. Wrobleski
Assistant Secretary of State for
International Narcotics Matters
Department of State
2201 C Street, NW
Washington, DC 20520

Dear Ann:

For the past few weeks, representatives of our various agencies involved with the U. S. Bahamas Drug Interdiction Task Force have been meeting to decide upon a concept of operations and an organization plan. I believe for the most part we have been moving swiftly to implement an effective Bahamas Task Force. In fact, limited operations are planned to begin today.

One of the critical elements yet to be resolved is the acquisition and operation of helicopters to supplement existing OPBAT resources. The Customs Service has recommended that they acquire and operate new helicopters while the Department of Defense has offered surplus Air Force CH3E helicopters at no cost. During the first Aviation Operations Subcommittee meeting held in Miami on December 19, my representative confirmed my offer that the Coast Guard should acquire the surplus DoD helicopters and operate them or other Coast Guard helicopters as an integral part of the Bahamas Task Force.

Therefore, I was surprised to receive the Commissioner of Customs' letter of December 24, 1986, a copy of which is enclosed. His third paragraph caused me considerable concern. Phrased as it was, it led me to conclude that the Subcommittee agreed Customs should spend $6M on three new helicopters. I am assured that no such agreement was reached. In fact, a good case was made for using Air Force surplus helicopters, thereby making the $6M available to equip the surplus CH3E's with appropriate intercept equipment and covering the operating expenses associated with the Bahamas interdiction effort.

I recognize that H3's are not in the current Customs inventory, but they are in mine. I have assured Ambassador Hallett that we would operate the Air Force H3's in the Bahamas operation.

You should be aware that the H3F model which the Coast Guard now operates meets or exceeds the helicopter specifications listed in the Commissioner's letter. We are confident that the Air Force H3E model can be modified to meet these same specifications at minimum cost and low technical risk.

I appreciate the fact that $10M was put in the Customs Service budget for the Bahamas Task Force but there is nothing in the legislation that requires those funds be spent for Customs assets. I feel certain that the Congress would allow those funds to be transferred to another agency if it were shown that it is in the best national interest. Inasmuch as drug trafficking in the Bahamas is not jurisdictionally a U. S. Customs Service mission, it makes sense that the funds should go to whatever purpose the Task Force determines is best.

I do not think any of the $10M appropriated for the Task Force should be committed until your committee has made its proposal and it has been approved by the Policy Board. To this end, I have asked Commissioner von Raab to not commit any task force funds until this issue is worked out. I request you schedule a committee meeting to address this issue at the earliest possible date.

Sincerely,

P. A. YOST
Admiral, U. S. Coast Guard
Commandant

Encl (1) Copy of Commissioner of Customs' ltr dtd 12/24/86
(2) Copy of my ltr dtd 1/2/87

[illegible]

Blind copy with enclosures to: The Honorable Chapman Cox
The Honorable William von Raab
The Honorable John Lawn
The Honorable Steve Trott
The Honorable Janet Hale
The Honorable Frank Keating

G-CCS
G-OLE
G-OAV
Mr. Karam
Capt Jarombek

EXHIBIT NO. 25

U.S. Department of Transportation
United States Coast Guard

Commandant
United States Coast Guard

Washington, DC 20593
Staff Symbol: G-C/22
Phone: 202-267-2544

January 12, 1987

The Honorable Ann B. Wrobleski
Assistant Secretary of State for
International Narcotics Matters
Department of State
2201 C Street, NW
Washington, DC 20520

Dear Ann:

Thank you for the quick scheduling of the 7 January meeting. I believe it afforded us the chance to clear the air on several Bahamian Task Force Issues and press on for solutions.

As a result of the meeting, DEA, Customs and Coast Guard had several substantive conversations. Commissioner von Raab offered a solution to several outstanding elements of the Task Force's problem that was accepted by me and communicated to the DEA Administrator. He documented that agreement well in his January 9, 1987 letter to me with copies to Jack Lawn and yourself.

I would like to applaud Commissioner von Raab for taking the initiative in this venture. His initial effort to find a way to accommodate the complex jurisdictional concerns in a practical manner are exhibitions of how we can reach good solutions in the national interest. As a result, we can all hope for a more effective air interdiction effort in the Bahamas at the earliest date.

I recommend you take this agreement back to the NDEPB noting that budget arrangements to facilitate it are being explored by the involved agencies. I have already committed a Coast Guard H3F to augment the existing DoD helicopters in the OPBAT operation. I have also requested DoD to turn over six excess U.S. Air Force H3E helicopters for this operation. Our initial response indicated September/October 1987 availability. Your support to pursue an interim loan of at least three of those aircraft as soon as possible would enable us to further augment OPBAT almost immediately.

I will keep you advised as the time line develops for total deployment.

Sincerely,

P. A. YOST
Admiral, U. S. Coast Guard

Copy: The Honorable William von Raab
The Honorable John Lawn

THE COMMISSIONER OF CUSTOMS

WASHINGTON, D.C.

9 JAN 1987

Dear Admiral Yost:

This letter is to confirm our discussions on January 7 and 8 concerning the Bahamian Drug Interdiction Task Force. We are both very concerned about this nation's drug problems, and it is essential that our organizations work cooperatively together in stopping the flow of illegal drugs into the United States.

I am happy to repeat my offer to the Coast Guard made in an effort to break the impass that has developed between our organizations and is preventing our joint drug interdiction efforts from moving forward as expeditiously as possible. I am pleased you have accepted my offer. The offer is as follows: Customs will transfer $8 million of its appropriation to the Coast Guard. These resources are for the following:

- acquisition, operation, and maintenance of helicopters to be used in drug interdiction efforts in the Bahamas.
- design, development, and installation of the C3I in the Bahamas which is to include a data link to Customs.
- all logistical support needed for these efforts.

It will be solely Coast Guards's decision as to which type of helicopters to acquire. Customs financial obligation is limited to the $8 million; Coast Guard is responsible for any costs incurred above that amount. In return for this generous offer, I ask the following:

- your agreement and support for the remaining $2 million to be spent on enhancements to Customs aerostat detection defenses in the Bahamas.
- your open-minded and objective review of Customs need to patrol the waters between Bimini and the coast in order to intercept and interrupt drug trafficking.
- your acknowledgement of Customs gracious offer and cooperative spirit before the Drug Policy Board.

I am hopeful that this effort on Customs part to break the impasse that has developed between our organizations will serve as a foundation for cooperative and harmonious working relationships between our organizations. We must join forces if we are to defeat the drug smugglers!

Yours faithfully,

Admiral Paul A. Yost, Jr.
Commandant United States Coast Guard
Department of Transportation
Washington, D.C. 20593-0001

CC. The Honorable Ann B. Wrobleski
The Honorable John Lawn

EXHIBIT NO. 26

11 February 1987

MEMORANDUM OF AGREEMENT

COAST GUARD/CUSTOMS

Subj: REIMBURSEMENT TO THE UNITED STATES COAST GUARD FOR OPERATION OF DRUG INTERDICTION PURSUIT HELICOPTERS AND SECURE COMMUNICATIONS FOR OPERATIONS OF THE UNITED STATES-BAHAMAS DRUG INTERDICTION TASK FORCE

1. The Omnibus Continuing Appropriations Act of 1986, (P.L. 99-591), provides $10,000,000 for the United States-Bahamas Task Force in the Customs Service appropriation.

2. The Customs Service and the Coast Guard have agreed that the Coast Guard will augment the air interdiction operations with at least three helicopters and it is further agreed that the Coast Guard will install as a part of the U. S. Bahamas Task Force, a Bahamian Islands Communications System which will be netted into BLOC/C3I for the operations of the United States-Bahamas Drug Interdiction Task Force. The Customs Service will reimburse the Coast Guard $7,000,000 for the helicopters and associated costs and $1,000,000 for communications in FY 1987 for Coast Guard operations in support of the United States-Bahamas Drug Interdiction Task Force. These are no-year resources and will remain available until expended. The Customs Service financial obligation is limited to $8,000,000 and does not extend beyond this amount.

Paul A. Yost Jr.
PAUL A. YOST, Jr.
Admiral, U. S. Coast Guard
Commandant of the Coast Guard

William von Raab
WILLIAM VON RAAB
Commissioner
U. S. Customs Service

EXHIBIT NO. 27

THE COMMISSIONER OF CUSTOMS

WASHINGTON, D.C.

16 January 1987

Dear Admiral Yost:

As you are aware, Assistant Commissioner, William Rosenblatt and Admiral Clyde Robbins went down to Miami last week to see, first hand, the different options for the C3I location. Although the Customs Service was strongly disposed toward placement of the center at Tamiami Airport, it is clear that the Coast Guard is strongly opposed to this location. In the spirit of finding the best and most workable compromise, the Customs Service would be willing to locate the center at the Coast Guard port facility in Richmond Heights. The benefit of this location is that new construction provides the most flexible approach to meeting the legitimate needs of all agencies which the C3I will serve. This location will also facilitate future expansion.

If for some reason the Coast Guard objects to Richmond Heights as well as Tamiami, the Customs Service will reluctantly agree to Brickell Plaza. If the C3I is located in Brickell Plaza, however, Customs must be permitted to house its related air and marine resources on the same floor as the C3I Center. In addition, I would like a commitment from you that the Coast Guard would make available any additional space in Brickell Plaza to allow for future expansion.

I believe that in making this offer, Customs is meeting you more than half way on this issue because we wish to ensure the success and quick completion of the C3I Center and continue our good and close working relations with the Coast Guard.

With best wishes.

Yours faithfully,

William von Raab.

Admiral Paul A. Yost, Jr.
Commandant, United States Coast Guard
Department of Transportation
Washington, D.C. 20593-0001

EXHIBIT NO. 28

U.S. Department
of Transportation
**United States
Coast Guard**

Commandant
United States Coast Guard

Washington, DC 20593
Staff Symbol: (G-C/22)
Phone: (202) 267-2380

January 21, 1987

Honorable William von Raab
Commissioner of Customs
Washington, DC 20224

Dear Commissioner:

This is in regard to your letter of 16 January 1987 concerning the location of the Southeast C3I Center. I thank you for being so forthcoming on this and the other issues we face in our common mission. I particularly appreciate your offer to meet me half-way on the C3I siting question.

I am reluctant to leave the Brickell Plaza site because I believe strongly that collocation in a single center would best serve us as we wage our war against drug smugglers on the surface and in the air. On the other hand I recognize Brickell Plaza is complicated by such factors as marginal security, limitations on expansion, building management by a third agency, and possible long-term costs.

In view of these latter factors, I will agree to the Richmond Heights location for the joint C3I air interdiction operation provided:

a. The Customs Service acknowledges the NDEPB decision to jointly man and operate the center. Command would be rotated annually between our agencies (i.e., Customs command the first year with a Coast Guard deputy, Coast Guard command the second year with a Customs deputy, etc.). I consider this provision non-negotiable, regardless of the location.

b. The NDEPB approves.

In addition, I think you should consider locating the BLOC at Brickell where it will be in close proximity to our surface operations. Being a regionally controlled surface operation, it would seem logical for it to be located with the Regional Commissioner. Also I believe NNBIS would stay in the Brickell Plaza building.

Commissioner, I know that we must put these decisions behind us within the next few days so that planning can move ahead. I appreciate your efforts in this regard and look forward to our staffs working out the details.

With my warmest regards.

Sincerely,

P. A. Yost

P. A. YOST
Admiral, U. S. Coast Guard
Commandant

EXHIBIT NO. 29

THE COMMISSIONER OF CUSTOMS

WASHINGTON, D.C.

February 2, 1987

Dear Admiral Yost:

I agree with your decision to locate the joint command and control facility at Richmond Heights. Your decision on the location will allow us to move forward with this critically needed operational resource.

Given the recent smuggling developments, where the smuggler has combined his activities by air dropping to waiting boats, we feel it is imperative to collocate the Customs Services' air and marine C-3I functions. This collocation will provide the needed immediate coordinative mechanism to ensure that the right resource is at the right place, at the right time, to increase the probability of an interdiction. I am sorry to hear that you have chosen not to include your surface operations in the Richmond Heights C-3I.

As you discussed with Mike Lane we should proceed with the Richmond Heights facility immediately. The joint command issue should not be linked or permitted to interfere with the timely implementation of C3I at Richmond Heights.

I appreciate your cooperation on this issue.

Yours faithfully,

William von Raab

Admiral Paul A. Yost, USCG
Commandant
U.S. Coast Guard
2100 Second Street, NW.
Washington, D.C. 20593

DRAFT

EXHIBIT NO. 41

2 September 1986

WHITE PAPER

The Tactical Interdiction of Drugs: Coast Guard or Customs Service Mission?

At the completion of its review of the Customs Service Aviation Program in September 1983, the Siler Committee stated: "Customs aviation is at the 'fish or cut bait' stage. Steps should be taken now: (1) to respond positively to those influences favoring a deliberate and effective Air Program build-up or (2) the Customs air interdiction mission should be abandoned and/or turned over to another government agency, such as the Coast Guard, which understands aviation and makes it work."

A Treasury-sponsored study of the Customs Marine Program, completed by Systems Research Corporation in February 1986, found that active marine (tactical) interdiction operations by Customs forces were still limited mostly to the Southeast Region, that marine interdiction resources were not being utilized in the most potentially effective manner, and that there were important manning and morale problems.

Customs reports of marine interdiction activity for the last half of Calendar Year 1985 indicate that approximately one-third of the drug seizures reported were for contraband found adrift, washed up through the surf, and/or abandoned.

A Customs analysis of drug seizures directly or indirectly related to aviation operations from the beginning of FY 1986 through the end of February 1986 reported the following comparisons with the same period in FY 1985:

Seizures of	Year to Date	Forecast for Year
Cocaine	Minus 99.2%	Minus 32.8%
Marijuana	Minus 91.1%	Minus 92.3%
Aircraft	Minus 60%	Minus 50.3%
Vehicles	Minus 60%	Minus 60.5%

In March 1986, the President's Commission on Organized Crime reported to the President: "Beyond threats to friendly democracies, international drug traffickers should be considered a threat to our national security because they comprise a direct attack on the physical and social well-being of our country.... The Joint Chiefs should be instructed by the highest levels of government, through a National Security Directive or by other appropriate means, that 'hostile or destructive action from within or without, overt or covert, as used in this definition shall include the airborne, amphibious, and overland invasions of this country by drug smugglers'." In early April, the President issued a (classified) National Security Directive, ostensibly motivated, inter alia, by the Commission's report. Prior to the Commission's report, and subsequently, there has been growing pressure from the Congress to increase the scope of the tactical interdiction effort, particularly the nature and extent of participation by the DoD. There have been several Defense initiatives in the premises, introduced through the Drug Enforcement Policy Board. None of these, however, envisages any further relaxation of Posse Comitatus. A law enforcement agency must perform the apprehension (arrest) function.

Since early 1986, the possibility of the DoD's turnover of four E2C's to be used for drug interdiction has been under consideration at the highest levels of government. There is some question as to whether these aircraft should be assigned to Customs or to the Coast Guard. The Navy has taken an official position, within the DoD, that the E2C's should be assigned to the Coast Guard. Its principal arguments are:

"The Coast Guard is a military organization with a civilian law enforcement mission.

"The E2C's would be available for DoD use at mobilization because the Coast Guard would go under Navy direction at that time.

"Since the Navy, in effect, would be paying for the aircraft, it is reasonable for the DoD to expect some use from them, if only in the future (at mobilization)."

It is worth noting that assignment of the E2C's to the Coast Guard might still leave at issue the problem of disposition of the Customs P-3's since the Coast Guard might concentrate the E2C's on maritime operations and not properly/fully support air interdiction operations at the border (particularly in the Southwest).

As of August 1986, the Congress was preparing comprehensive legislation directed to a significant, across-the-board expansion of the Nation's anti-drug programs. Customs itself is at critical crossroads. Within the next five years, Customs will be facing a significant increase in workload caused by a growing volume of formal entries, air passengers, and of total persons. Customs' planning also envisages that the continuing national demand for narcotics will increase or, at least, continue at its present level and that, consequently, the attempts to smuggle narcotics into the United States will continue to rise. Despite such forecasts, Customs is committed to meeting its responsibilities with no increases in budget, inspectional positions or enforcement programs. At the same time, Customs Enforcement estimates that the implementation of its C^3I Program alone will require approximately $60 million and the commitment of a substantial body (50-100) of highly qualified personnel. The Aviation Program alone will require the addition of not less than 400 personnel to its current on-board complement of 317 in order to reach a 7 days/16 hours readiness posture, and upwards of 1,000 additional in order to attain a 7/24 status. Comparable increases would be required in the Marine Program which currently has an on-board count of approximately 430 personnel.

Customs currently owns approximately 165 watercraft of all types. About 33 of these are radar platforms which are the centerpiece units of the Marine Modules, each consisting of a radar platform and two chase boats. The Customs tactical interdiction aircraft inventory currently includes four P-3's, six Cessna Citation II's, eight Black Hawks, five King Airs, and three Cobras. Only the P-3's and the Citations are fully (radar and IRDs) sensor-equipped. The King Airs and Cobras are not considered to be 'front line' interdiction aircraft, nor are any other of the approximately 50 miscellaneous aircraft in the Customs inventory. Eight fully-equipped CHET's (Piper Cheyenne III's) are on order. First delivery occurred on 29 August, one year behind the original contract schedule. Determination of the suitability of the CHET awaits the completion of a Customs OPEVAL. There are no suitably outfitted marine support aircraft in the Customs inventory, but used Army C-12's and new Australian NOMAD's have been evaluated for this role. Significantly, only two (two Citation II's) of the front line interdiction aircraft (P-3's, Citations, Black Hawks) are owned by Customs. The remainder are either on loan (by the DoD) or leased.

Since the monies expended for Customs marine operations are not specifically segregated in the financial management system, it is difficult to pinpoint these expenditures. On the other hand, the Congress established a line item for Customs Aviation O&M in the FY 1984 appropriation and appropriated $31 million and $55 million in FY 1984 and FY 1985, respectively. The comparable FY 1986 figure is $75 million (possibly $52 million if Gramm-Rudman is imposed), with a possible supplemental. The FY 1987 Customs budget submission is for $90.8 million. These numbers bear comparison with current Customs internal estimates that an annual Aviation Program budget of about $200 million per annum for each of three years is required to bring the Customs air interdiction operation to a 'one layer deep' level across the CONUS Southern Border in this decade. This budget level was corroborated by the NNBIS-sponsored Joint Surveillance Committee (JSC) study in mid-1984 which produced comparable budget figures for the action alternative recommended. Therefore, even without further examination, it is reasonable to conclude that budget levels substantially greater than those attained to date will be required to raise Customs tactical interdiction results to the level of even the modest goal of 30% of the traffickers set by the JSC study group. This does not speak, concurrently, to the significant Customs personnel increases required in order to progress to a 7/24 tactical interdiction operation--and the associated personnel-related costs.

With these factors in mind, and considering the full implications of the possible assignment of DoD-provided E2C's to the Coast Guard, it is appropriate to address, here and now, the broader issue of responsibility for the tactical interdiction of drug traffickers. This should be done before significant (major) further investment is made in a Customs program which, manifestly, has not worked very well to date; it should be done in the context of a growing national realization that drug trafficking is, indeed, a national security problem; and, finally, it should be done with the objective of shaping a program of the most benefit to the nation, as a whole, over the long term.

The Case for Tactical Interdiction as a Customs Mission

Pro

1. Customs has an established organization and operation for for tactical interdiction: air and marine. National primacy in the air interdiction of drug traffickers.

2. Statutory responsibility for drug interdiction with fully vested powers for law enforcement.

3. Logical interfaces of the tactical interdiction activity with other Customs functions.

4. Force structure (equipment, facilities and personnel) uniquely outfitted, postured and trained for the tactical interdiction of drugs.

5. Divestiture of the tactical interdiction mission might result in severe organizational and personal disruptions and dislocations.

6. There is a requirement for aviation and marine support of certain Customs operations, even without the tactical interdiction mission.

7. Favorable publicity for the Customs Service (in instances of mission success) in the high visibility drug war environment. Such publicity benefits the Customs Service overall and creates a more favorable budget climate.

Con

1. Customs cannot possibly effectively perform the tactical interdiction mission with the current force structure and with financial support at past, current, and projected levels. There are no indications that the substantial buildup required will be approved or financed.

2. Lack of experience in the discipline, techniques, and technology of tactical interdiction.

3. Immature infrastructure for the integrated logistic support of aviation and marine forces.

4. Absence of effective (competitive) advocacy of the tactical interdiction function (as compared with others) at the Customs Headquarters level. If the 1811 reclassification operation may be considered as indicative, the current management trend is to subordinate the tactical interdiction function to others, such as investigation.

5. A marginal (at best) C^3I organization requiring substantial, expensive, time-consuming build-up with no present assurance that budgetary needs will be acknowledged and fulfilled. No Customs experience with command and control which transcends Regional boundaries.

6. Exhorbitant manpower levels required for around-the-clock operations imposed by Civil Service manning criteria. Limitations on manpower utilization due to budgetary constraints, union contracts, and/or Civil Service regulations.

7. Assets, e.g., aircraft, best suited and uniquely outfitted for drug interdiction not adaptable for national defense in the event of hostilities. In fact, the beneficial employment of the Customs tactical interdiction forces in the event of hostilities would pose significant problems.

8. No prima facie responsibility for the sovereignty of the national borders. Impossible to segregate Customs 'targets' from others (such as traffic carrying terrorists, weapons of war, or illegal immigrants).

9. In the event of divestiture of the tactical interdiction functions, disruptions and disclocations would be ameliorated by the requirement to retain some aircraft and watercraft for essential support functions.

10. Interoperability vis-a-vis the various agencies and entities with which Customs must interface for tactical interdiction is--and will remain--a problem because of equipment incompatibilities, doctrinal differences, and institutional asymmetries.

11. Divestiture of the tactical interdiction mission would free up a major portion of the 700+ billets now allocated to the aviation and marine programs. This would permit Customs to better address its growing problems in its other areas of responsibility and to better concentrate its efforts in functional areas where Customs has traditionally excelled. There might even be a net gain in the volume of drugs confiscated by Customs as a result of more intensive concentration in areas of established expertise.

12. Divestiture of the tactical interdiction mission would not seriously impair or impact Customs' performance of any of its several other functions and missions.

The Case for Tactical Interdiction as a Coast Guard Mission

Pro

1. The Coast Guard has a long history and primacy in enforcing laws having to do with smuggling. Fully vested as a law enforcement organization. Can perform the apprehension function.

2. Close working relationships with other government agencies involved in drug interdiction.

3. Close working relationships and long experience with the DoD--especially important as a national security consideration. Ready transition of anti-smuggling forces to a national defense role in the event of hostilities. There is already full cognizance of the interoperability considerations.

4. Round-the-clock operational capability with manpower requirements substantially below those imposed by the Civil Service and Employees Union constraints under which Customs must operate.

5. Fully matured infrastructure for the integrated logistical support of marine and aviation forces.

6. Already performing the marine interdiction task outside the 12-mile limit. Extension to the waterline would be a natural one.

7. The E2C's would provide a much greater incremental increase in Coast Guard capabilities and provide more important national benefits than their assignment to Customs. Included are national defense, national security, port security, anti-submarine warfare, maritime defense, anti-terrorisism, anti-smuggling, search and rescue, and fisheries law enforcement.

8. Baseline C^3I organization and C^3I experience superior to Customs'. The baseline is amenable to straightforward expansion in a manner which will serve peacetime anti-smuggling needs with ready transition to a national defense role in the event of hostilities.

9. Trained and disciplined in the techniques and technology of tactical interdiction.

10. Expansion of the tactical interdiction role would be merely a continuum of present operational activity and would present no particular or unique 'growing pains'.

11. Represents a 'long haul' view of the commitment of national resources with immediate peacetime benefits and ready carryover to combat status. Would provide more sustained bang for the taxpayers' buck.

Con

1. The Coast Guard has been experiencing severe budget and force level problems. More mission cannot be added without more money and more people.

2. Questions of 'executive ownership' (i.e., Transportation vs. Treasury) might obfuscate the issues and overshadow the central purpose of the transfer of mission.

3. Limitations on the type, number and utility of the Customs tactical interdiction assets (equipment and personnel) which could be transferred, or which would be desired. At best, these might include only those vehicles (aircraft and watercraft) classified as 'front line'. There would probably be few, if any, transfers of the Customs Civil Service employees involved.

4. Coast Guard's past focus on marine operations and its relative inexperience with the air interdiction mission would pose some problems with equipment, operations, and training. Operations on the Southwest Border might prove especially troublesome--at least at the outset. On the other hand, the Customs air interdiction activity, at its present scope, would be relatively easy to absorb.

5. The usual 'administrative impedimenta' affecting the transfer of mission and any assets involved.

EXHIBIT NO. 48

RO

UNITED STATES GOVERNMENT
memorandum

DATE: November 17, 1986

REPLY TO ATTN OF: Diogenes E. Galanos, SAC, MFD (820-4851)

SUBJECT: After Action Report and Recommendations Concerning Operation of U.S. Customs Helicopters from Homestead, Florida into the Bahamas

TO: Mr. David L. Westrate, Assistant Administrator, Operations Division for Headquarters (AO)

Introduction

As a result of the United States Customs Service initiative to the Bahamian Government, an agreement was reached to temporarily post five Bahamian Police Strike Force Officers to the U.S. Customs Air Detail facility at Homestead, Florida for a 45-day evaluation. This test was to commence on 23 September 1986 and conclude on 7 November 1986. The final working agreement called for the inclusion of four DEA Special Agents as part of any flight crew which went to the Bahamas. Operational control was to be vested with the Operation BAT staff at the U.S. Embassy, Nassau, Bahamas and the U.S. Customs Service aircraft would enter the Bahamas only with permission of and if requested by the Operation BAT unit at Nassau, Bahamas.

Details

On approximately 10 occasions, U.S. Customs Service aircraft from Homestead, Florida responded to potential target interceptions in the Bahamas. Numerous communication problems were apparent, principally involving Customs aircraft not responding to the operational control of DEA Nassau while in Bahamian territory. The following is a chronological listing of U.S. Customs Service entries into Bahamian territory during this project:

o On 23 September 1986, U.S. Customs Service aircraft from Homestead, Florida with Bahamian Police Officers on board but without DEA Agents on board landed at Andros Town, Bahamas, where Bahamian Police seized aircraft N37146 and arrested two subjects for possession of stolen aircraft. There was no contraband involved in this instance.

- On 25 September 1986, U.S. Customs Service aircraft intercepted a potential target over Rudder Cut, Exumas, which was ultimately handled by OP BAT Nassau when the target landed at Nassau International Airport. No narcotics were found on this aircraft.

- On 26 September 1986, U.S. Customs Service helicopter from Homestead, Florida was sent towards Cat Island, Bahamas. One aircraft [redacted] landed there at 0630 hours. U.S. Customs Service Black Hawk returned to Homestead without incident when the subject aircraft departed Cat Island in a southerly direction well before the possible arrival time of the Customs helicopter.

- On 28 September 1986, U.S. Customs Service aircraft followed aircraft [redacted] towards Nassau International Airport where the aircraft was checked by OP BAT Nassau personnel. No contraband was found on this aircraft.

- On 5 October 1986, at 1827 hours a U.S. Customs Service aircraft landed at Bimini, Bahamas and checked out aircraft N71BF with negative results. No request had been made of OP BAT Nassau for permission to land at Bimini and notification was made to OP BAT Nassau at 2050 hours.

- On 5 October 1986, U.S. Customs Service helicopter went to Freeport, Bahamas and checked out aircraft [redacted] with negative results. This mission was handled by U.S. Customs Service at Homestead unilaterally because they changed their coverage hours without notification of OP BAT Nassau. Consequently, there was no OP BAT helicopter on duty during this time period.

- On 8 October 1986, at 0345 hours a U.S. Customs Service helicopter responded to Georgetown, Exuma and assisted an OP BAT helicopter in responding to an airdrop. No seizures were made and no contraband was located in this incident.

- On 9 October 1986, a U.S. Customs Service helicopter responded to Bimini, Bahamas Airport and searched aircraft [redacted] which had conducted an alleged prior airdrop. No contraband was found on this aircraft.

- On 13 October 1986, a U.S. Customs Service helicopter assisted an OP BAT helicopter by responding to the Sandy Point, Abaco area and examining a crashed aircraft [redacted] that had initially passed low over George Town, Exuma. After approximately 21 minutes at the scene the U.S. Customs Service aircraft departed and returned to Homestead, Florida. OP BAT Nassau had previously advised local police at Abaco regarding this incident and they subsequently seized 350 pounds of cocaine from a vehicle. This seizure was made at a location other than that of the crashed airplane and occurred one and a half hours after the plane had crashed. There was no U.S. Customs aircraft present at the time of seizure.

- On 23 October 1986, a U.S. Customs Service helicopter responded to Freeport, Bahamas Airport and conducted a search of aircraft [redacted] which had allegedly conducted an airdrop. No contraband was found on this aircraft and the subjects were released.

o On 30 October 1986, a U.S. Customs Service fixed-wing aircraft landed at Bimini, Bahama Airport where the police on board arrested the two pilots of aircraft [redacted]. An OP BAT helicopter participating in this incident diverted enroute to Bimini and recovered one of the bales of marijuana which had been airdropped by this aircraft. OP BAT Nassau had previously notified the Bimini Police to detain the pilots of this aircraft and had advised U.S. Customs Service there was no need for their aircraft to land at Bimini. However, the Customs Service plane did arrive at Bimini directly behind the aircraft and the police on board effected the arrest.

o On 31 October 1986, a U.S. Customs Service aircraft landed at West End Airport, Grand Bahama Island, and examined aircraft [redacted] with negative results. This aircraft had allegedly conducted an airdrop prior to landing. No narcotics were found on board or elsewhere.

o On 31 October 1986, at 1602 hours, the DEA Nassau OP BAT Office requested the assistance of U.S. Customs, Homestead, to provide a helicopter regarding an offload in progress at Bimini, Bahamas. OP BAT Nassau was advised by U.S. Customs Service that there were no pilots or aircraft available at that time.

Conclusions and Recommendations

Careful review of the above chronology demonstrates the overall ineffectiveness of the Homestead operation. Despite many Customs helicopter sorties into the Bahamas, no seizure or arrest occurred as a result of the program that would not have occurred otherwise. In fact, the only significant seizure - 350 pounds of cocaine in the Abaco area - occurred as a direct result of OP BAT Nassau activity and no U.S. Customs aircraft were involved.

Three additional DOD helicopters were assigned to George Town, Bahamas, on November 4, 1986. With the plans for the purchase and assignment of three more helicopters for the proposed U.S. - Bahamas Task Force, we will have sufficient equipment available to handle interdiction operations from the Bahamas. This will strengthen the command and control of apprehension operations in the geographic area involved.

We conclude that there is no need to continue the present awkward, duplicative and manpower-intensive Homestead helicopter operation which, incidentally, seriously drained available resources from the Royal Bahamian Police Strike Force. It is our position that additional resources would be better spent on OP BAT in Nassau which is more experienced, better coordinated and has significantly contributed to the interdiction of drug-laden aircraft.

Diogenes R. Galanos
Special Agent in Charge
Miami Field Division

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EXHIBIT NO. 49

United States Senate
COMMITTEE ON APPROPRIATIONS
WASHINGTON, DC 20510

January 13, 1987

The Honorable Edwin Meese, III
Attorney General of the
  United States
Department of Justice
10th and Constitution Avenue NW
Washington, D. C. 20630

Dear Mr. Attorney General:

I want to take just a moment to thank you for meeting with me in my office this morning and for giving me your personal assurances that many of the Congressionally-mandated initiatives are on track.

I am particularly grateful to you for giving me your personal commitment and assurance that the P-3 prototype drug surveillance aircraft at Customs will go forward as authorized and funded in the Continuing Resolution (P.L. 99-500). I have been working for many years to develop the use of the P-3 aircraft as a long-range surveillance aircraft for the air interdiction mission and the modification of this aircraft with an APS-138 radar should enhance its capabilities even further. As my staff indicated to you in our meeting, the prototype P-3 will be a "P-3B" aircraft that is virtually brand new and which is already retrofit with systems to accommodate the APS-138 radar. In addition, the firm, fixed price cost of modifying the four P-3 aircraft envisioned by Congress would include the purchase and retrofit of this P-3B prototype. Therefore, I am convinced that the prototype will be a state-of-the-art asset that will do a good job for the Customs Service and our national drug interdiction program. Again, your personal commitment to proceed with the P-3 prototype and to assist us in procuring the essential APS-138 radar that was authorized and funded in the Urgent Supplemental Appropriation Bill, 1986 (P.L. 99-349) is welcomed news and deeply appreciated by this Senator.

I would also like to thank you for reiterating your strong commitment to the proposed southwest border drug enforcement initiative. I am pleased to hear that all of the agencies involved are moving out aggressively to bolster staffing along the U.S.-Mexico border. At the same time, I want to repeat my concerns over the President's fiscal year 1987 and 1988 budgets that would seem to threaten the full implementation of Operation Alliance and other drug initiatives. The proposed rescission of $38.9 million for Customs salaries and expenses, although not specifically directed at the drug program, will have to be absorbed in a number of enforcement areas, including the drug enforcement effort. Also, the proposed informal "deferral" of $51 million in the Customs air interdiction budget from fiscal year 1987 into fiscal year 1988 would affect a number of Congressional initiatives, including the P-3 prototype; the C-3I effort; operation and maintenance for the Customs E2Cs; and a San Diego facility that was particularly important to my House Subcommittee counterparts. If this "deferral" were to be approved, it would represent essentially a 30% cut in the fiscal year 1987 air interdiction budget at Customs. This approach by OMB is particularly disturbing in view of their attempt to implement this policy "deferral" without going through the normal Title X Budget Act process of submitting a deferral message to Congress. I hope that you will do what you can to discourage OMB from taking this action.

Finally, I wanted to thank you for agreeing to have John Bolton look into the El Salvador deportation matter that we discussed at the meeting. As you recall, my major concern is that those who face deportation back to El Salvador from the United States not be sent into those areas that were affected by the tragic earthquake that hit San Salvador and the surrounding area with such devastation. Your willingness to have Mr. Bolton provide me with a status report regarding your policy in this regard is appreciated. I would ask that you have Mr. Bolton or the Commissioner of the Immigration and Naturalization Service, Mr. Al Nelson, report back to Mr. Ed Baxter, my Judiciary Committee counsel, who is handling this important matter for me.

Again, I believe that our meeting was productive and encouraging. I look forward to working with you during the 100th Congress and if there is anything that I can do to assist you or your staff, please let me know.

With best wishes.

Sincerely,

Dennis DeConcini

Dennis DeConcini
Chairman
Subcommittee on Treasury, Postal
Service, and General Government

DDC/bmm

EXHIBIT NO. 50

THE SECRETARY OF DEFENSE
WASHINGTON, THE DISTRICT OF COLUMBIA

15 JAN 1987

Honorable Edwin Meese III
Attorney General
Washington, D.C. 20530

Dear Ed:

Before deciding to proceed with a P-3 prototype drug surveillance aircraft for the Customs Service, there are some important points I would like you to consider.

The Department of Defense has no military, war reserve, or mobilization requirement for a hybrid P-3 Airborne Early Warning system, nor will this hybrid system be supportable within our existing support system. If there is no military mission for the system, it is unlawful (P.L. 99-570) for the Department of Defense to obligate funds for such a development.

Integrating a 360° radar with a P-3 airframe would require significant development effort. The project would be lengthy and accompanied by high risk, requiring amounts from $200 million to as much as $1 billion. The failure of the Nimrod project proves the high risk and cost.

I strongly doubt that the P-3 is the most cost effective system for attacking this problem. For drug interdiction efforts, the E-2C is a proven system that can do the job; is logistically supportable; and has a military mission.

Sincerely,

Cap.

RECEIVED

JAN 16

cc: Director, OMB
Assistant to President for NSA

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EXHIBIT NO. 51

United States Senate
COMMITTEE ON APPROPRIATIONS
WASHINGTON, DC 20510

January 16, 1987

Dr. James C. Miller, III
Director
Office of Management and Budget
Executive Office Building
Washington, D. C. 20503

Dear Dr. Miller:

I wanted to take just a moment to thank you for coming up to meet with me yesterday to discuss a number of issues, including some of the concerns that were addressed in my correspondence of late last year.

It was good of you and your staff to clarify for me the situation with regard to apportionments in anticipation of Presidentially-proposed rescissions and other matters pertaining to how OMB apportions appropriated funds to certain agencies. I believe, as do many of my colleagues, that the rescission and deferral process must be very closely monitored so that Congressional mandates are preserved and that only true budget "slippages" or other unforeseen contingencies are the focus of deferrals and rescissions.

I want to also thank you for clarifying the "label" being assigned to the proposed decision to postpone as much as $51.2 million of Customs operation and maintenance funding from fiscal year 1987 into fiscal year 1988, and use this money for other Customs drug initiatives. As I understand the discussion on Wednesday, what OMB would propose, through a formal request to the Congress, is a reprogramming of $51.2 million to be used in other Customs air interdiction, operation and maintenance programs. I am informed that the breakdown of the money that is being tabbed for postponement is as follows:

C-3I (Including Oklahoma City Center)	$18.4 million
Modification of C-12 aircraft	6.6 million
O&M E2Cs	3.3 million
P-3 modification with 360 degree radar	19.1 million
Spare parts	.7 million
San Diego Facility upgrade	2.5 million
COMINT O&M	.6 million
TOTAL	**$51.2 million**

Frankly, Dr. Miller, I would object to the postponement, reprogramming, or deferral of any of this money, especially in view of the fact that all of these items are specific, Congressionally-mandated initiatives that are essential to the continued progress of the Customs air interdiction mission. Therefore, as the Chairman of the Subcommittee which would have to approve or disapprove this pending proposed reprogramming, I will recommend disapproval of the shift of any appropriations out of these projects into other Customs programs, projects, or activities. It is my understanding that all of this money is required in order to meet commitments to operate and maintain existing Customs assets or to keep ongoing projects on track. Let me cite two examples of projects that are of the highest priority to this Senator and which must not be delayed any further.

First, the modification of the P-3 prototype aircraft is mandated by statute; fully funded in the Continuing Resolution that was signed into law by President Reagan in October; and is the backbone of the Customs long-range surveillance fleet. As I indicated to you yesterday, the Attorney General has given me his personal, unqualified commitment to proceed with the first prototype P-3 aircraft with APS-138 radar, and has agreed to facilitate the transfer of the APS-138 radar from the Navy to the Customs Service, as mandated by the Urgent Supplemental Appropriation Act of 1986 (P.L. 99-349). Apparently, the only remaining impediment to moving ahead with this crucial project that is mandated by law, is OMB. I trust that you and your staff will make sure that you will join the Attorney General and the Congress in implementing the P-3 prototype project immediately, without any further delay.

Secondly, the command, control, communications, and intelligence (C-3I) centers being developed under the control of the Customs Service in cooperation with Coast Guard and other law enforcement agencies, are absolutely critical tools for coordinating time-sensitive, drug interdiction intelligence from the various air and marine interdiction assets at Customs and Coast Guard. Without these C-3I centers to receive, digest, and disburse such time-sensitive, tactical intelligence to our drug interdiction agencies, the full value of our aircraft, radars, pursuit boats, and helicopters will not be realized. A postponement of any kind in the implementation of the Customs C-3I effort will seriously jeopardize the drug interdiction effort and will shortchange the good progress that was made in the omnibus drug bill of 1986.

I am particularly concerned about a delay in the implementation of the C-3I program, in view of the apparent agreements reached between the Coast Guard and Customs over the location and operation of the Miami C-3I center. Admiral Yost of the Coast Guard confirmed to me on January 8th that Customs was fully cooperating with Coast Guard and that the two agencies were not far from an agreement on both the location and operation of the Miami C-3I center. Therefore, we need to move out aggressively on all of these projects, including the C-3I centers, without further delay or postponement if we are to put our tools into use to fight the narcotics smuggler.

Finally, I appreciate having a brief discussion with you about budget reform. Although I have not been privy to the specific budget reform proposals that the President will offer to Congress in his January 27th State of the Union Message or the subsequent budget documents of January 28th, I am keeping an open mind on any and all plans for reforming the current budget scheme. As I mentioned to you on Wednesday, I am contemplating recommending a two-year appropriation for the agencies under the jurisdiction of the Treasury, Postal Service, and General Government Subcommittee, as suggested by Chairman Stennis in our Committee organizational meeting earlier in the day on Wednesday. I am also accumulating information from other sources regarding the whole spectrum of ideas regarding proposed budget reform that has been proposed in legislation or other forums in recent years. I look forward to working with you on budget reform matters this year.

Again, I believe that our meeting was productive and constructive. I have no hidden agenda, nor do I contemplate any difficulties in our working relationship on the Committee. Let's stay in touch on these and other important issues affecting the Office of Management and Budget.

With best wishes.

Sincerely,

Dennis De Concini

Dennis DeConcini
Chairman
Subcommittee on Treasury, Postal
Service, and General Government

DDC/bmm

EXHIBIT NO. 52

ASSISTANT SECRETARY OF DEFENSE
WASHINGTON, D.C. 20301-4000

FORCE MANAGEMENT
AND PERSONNEL

December 17, 1986

MEMORANDUM FOR SECRETARY OF DEFENSE

SUBJECT: E-2C Aircraft for Drug Enforcement Operating Costs -- INFORMATION MEMORANDUM

This memorandum responds to your question, "I assume it is more expensive to split the E-2Cs between Customs Service and Coast Guard. Is this true? If so, how much?"

The estimated cost to operate four E-2C aircraft from one operating site is $32M. The additional cost to operate two E-2Cs from two sites is estimated at $16M. The attached Fact Sheet provides a more detailed summary of individual cost elements which were provided by the Navy.

In addition to the cost differential, the economies of scale afforded by a one-agency operation of the four aircraft also provide (i) greater flexibility in deployment, and (ii) enhanced availability of human and material resources to maintain the equipment.

An even more compelling reason for our position that all four planes should be assigned to Coast Guard relates to mobilization of the planes. During wartime, the E-2Cs will revert back to DoD for our operational use. This transition would be much easier (indeed almost automatic) if the planes are assigned to Coast Guard, because Coast Guard comes under your operational control in wartime. In addition, the pilots, crews, and maintenance peresonnel would be military people (Coast Guard) subject to military personnel rules, and the maintenance facilities, spare parts, support equipment and air fields would also be subject to your control.

Chapman B. Cox

DRUG ENFORCEMENT E-2C OPERATING COSTS

	One Site	Two Sites
Purchase of aircraft peculiar ground support equipment	$2.2M	+$2.2M
Purchase of spare parts inventory	$26.0M	+$14.0M
Purchase of common ground support equipment	$4.0M	--
TOTAL	$32.2M	+$16.2M

THE SECRETARY OF THE TREASURY
WASHINGTON

EXHIBIT NO. 53

November 21, 1986

Dear Ed:

On November 18, 1986, we met with Elizabeth Dole and Will Taft to resolve a number of issues related to drug policy. I would like to take this opportunity to convey my understanding of the decisions and agreements reached by the four of us during that meeting.

I also want you to know that it is our intention to move as expeditiously as possible to implement the decisions made during our meeting, since in several instances implementation is mandated by law. In addition, I consider it most important that we augment our drug interdiction effort right away.

The following is my understanding of the agreement among our four departments:

Coast Guard Falcon Jets

All of our departments will support equipping six Coast Guard Falcon jets with F-16 radar. This will require a reprogramming, which all of our departmentu will support.

P-3A Aircraft

All of our departments support the immediate retrofit of one Customs P-3A aircraft with APS-138 radar as provided by Congress and support the eventual retrofit of a total of four Customs P-3A's.

E2C Aircraft

All of our departments support the transfer of two Navy E2C aircraft to the Coast Guard for use in the Southeast United States and two E2C's to the Customs Service (Corpus Christi) for use along the Southwest Border. When retrofit of the fourth and final P-3A is completed the Customs Service will transfer its two E2C aircraft to the Coast Guard. We all understand that retrofitting four P-3A's may take 24 months or more.

Command, Control, Communications and Intelligence (C3I)

All four departments agreed that the development of the C3I Centers should proceed without further delay. Ownership, budgeting, and the administration of all four Centers will be the responsibility of the Customs Service. Customs will command the Centers at March Air Force Base, Oklahoma City, and Houston. Command of the Tamiami C3I will be joint by the Coast Guard and the Customs Service. We defined "joint" to mean that the Coast Guard and the Customs Service will each have an officer on every watch, each in control of their respective assets.

In order to promote the continued participation of State and local law enforcement in the South Florida C3I, all four departments agreed that the Tamiami site is to be the location for the South Florida C3I.

Reorganization Study

Each of us agreed that as a matter of policy the report from the President called for in the Drug Bill will treat the issues stated above in the same way as they are treated here and nothing will be proposed in conflict with these agreements.

?

Thank you for your assistance in resolving these issues. Our agreements are consistent with the legislation and, as I stated earlier, we plan to move forward with implementation as expeditiously as possible so we can enhance our anti-drug effort without delay.

Sincerely,

Jim

James A. Baker, III

The Honorable Edwin Meese III
Attorney General
Department of Justice
Washington, D.C. 20530

THE DEPUTY SECRETARY OF DEFENSE
WASHINGTON, D.C. 20301

EXHIBIT NO. 54

November 19, 1986

MEMORANDUM FOR THE ATTORNEY GENERAL

Ed,

I tried to reach you this afternoon to follow up on our meeting of yesterday. I have been examining the question of modifying the P-3A with an APS-138 radar.

The Navy view is that this is not a good idea. It would require a significant developmental effort which would involve substantial funds, assuming it can be done successfully. Once developed, the operating costs would also be high in that the P-3A's operational costs per flight hour exceed $3,000, which compares to less than $2,000 per flight hour for an E-2C. There is also doubt that the P-3A could be supported within the Navy support system, inasmuch as the airframe is being phased out of our inventory.

This last point raises for us, also, a legal question in that PL 99-570 apparently prohibits the obligation of funds for modifying DoD equipment unless it is supportable within our existing logistic system and relates to an existing military requirement. There is no military requirement for a modified P-3A with an APS-138 radar.

I am having this issue explored further, particularly the legal issue and the extent to which these conclusions may be inconsistent with the Navy report that Jim Baker cited to us. However, I wanted to alert you to these initial reactions to the proposal to modify the P-3A.

William H. Taft, IV

cc: Secretary of the Treasury
Secretary of Transportation